





















ALEXANDER'S  
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THE  
EAST INDIA AND COLONIAL  
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A NEW YEAR'S GIFT FOR THE COURT OF DIRECTORS.

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We wish the Court of Directors all the compliments of the season. On this first day of January, eighteen hundred and thirty-seven, we unfeignedly wish them "a happy New Year!"—that it may be happy, their acts must be honourable;—and that they may be honourable, the Court must, with the opening of a new year, *turn over a new leaf*; retrieve the errors into which they have been betrayed; repair the injustice they have sanctioned; and atone for the injuries they have themselves committed, or suffered to be committed in their name, and under the shield of their authority. All these things they may, even yet, do with a grace that will expiate much of the past evil, exalt the character of their body to its former eminence, and restore that confidence which should ever subsist between them and the members of their Civil Service—but which some of their late acts seemed but too well calculated to destroy. We would now extend to them the olive-branch of conciliation and peace—because more recent circumstances which have come to our knowledge, manifest a disposition on the part of the Court to retrace, as far as it is now possible for them, those steps which have hitherto only led them into difficulty and discredit, and earned for them that loss of popular estimation to which the loss of much of their influence, and, consequently, of the abused privileges of their monopoly, may be attributed. Their determination to repudiate and discontinue that vile, low-minded, strife-stirring order of Lord William Bentinck's, which directed the Heads of Departments to *report privately* on the character, conduct, and qualifications of their subordinates, has been hailed with the utmost satisfaction in India; and we recognize in it a spirit of atoning, though of tardy, justice. But the Honourable Court must not stop here. They must go farther, much farther, if they would set themselves right with the country, and with the world. They must not content themselves



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with abolishing an odious and iniquitous system; they must prove the sincerity of their regret for having dishonoured themselves by so long tolerating such a system, by repairing the injuries of which it was the fruitful source. They must make all the amends in their power to those who have suffered in property and in reputation by the introduction of that frightful system of *espionage* and inquisitorial judgment; and if they would worthily assert their own honour and dignity, they must begin the good work of redressing wrong, by desisting from the persécution of the first victim devoted by Lord William Bentinck to destruction, and make ample and unqualified amends to Mr. Mordaunt Ricketts for the oppression, injustice, and calumny with which the long, faithful, and eminent public services of that gentleman were so ungratefully requited. We charge Lord W. Bentinck with having first devoted Mr. Ricketts to destruction:—meaning thereby, that the very first act of his government,—his very first act, indeed, on his arrival in India, and before he could have possessed himself of any such knowledge of the Administration of Affairs, as could warrant such an exercise of his authority, was to determine upon depriving Mr. Ricketts of that station as Resident at Lucknow, in which he had for seven years conciliated the friendship and good offices of the Government of Oude, and maintained the honour and the influence of the Company at that Court. Foiled by the spirit and integrity of the Resident, in the *finesse* by which he hoped to have added so lucrative an appointment to his own patronage, and failing to entrap him into the acceptance of a less important and responsible, but more lucrative, office, which would have involved a tacit admission of the justice of that depreciation of his services which the Governor-General only ventured to insinuate; the experiment of *secret reporting* was then first resorted to—with what success we leave Lord William Bentinck to reflect upon with the triumph congenial to the nature which could originate such a system. But the Court of Directors, however they may at that time, or since, have been misled and imposed upon by official sycophants, spies, and tale-bearers, cannot now be ignorant of the fact that in many of the most trying emergencies, of their Government abroad, they were rescued by the unwearied zeal, ability, and influence of Mr. Mordaunt Ricketts from difficulties that must otherwise have been insurmountable—rendering their most important measures abortive—and even endangering the maintenance of their power, and the stability of their dominion in the East:—neither can they now have to learn that, of all the charges fabricated against him by the tools of the Government, or by the interested expectants of promotion and re-



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ward, not even the shadow of an accusation could be substantiated by his enemies, nor could be pronounced by his successor in office—on whom the invidious task of conducting the preliminary inquiry was so *delicately* imposed—to be capable of such a probability of proof as would warrant them in proceeding to any judicial investigation; and this, too, in despite of the fact that their inquiries were pushed to the extreme in the absence of the accused party, to whom all information of the specific nature of the charges, and even copies of the allegations against him were, from first to last, alike denied. On the other hand, the Court of Directors and the Indian Government cannot hide from themselves the painful and humiliating truth that the sentence so unjustifiably pronounced against Mr. Ricketts, (without the production of a tittle of evidence, or of any official or other Report of the result of such proceedings,) of “*dismissal*” from a service ~~his~~ perfect retirement from which they had themselves recognised and ratified by the payment, for four years, on their own order, and out of their own Treasury, of an Annuity to which he could only be entitled by the absolute and complete voidance of that service,—and the still more unjustifiable confiscation of that Annuity, which he had *purchased*, and for the secure enjoyment of which *their* GOOD FAITH was the GUARANTEE:—they cannot, we repeat, hide from themselves the fact that these despotic abuses of power have excited a strong feeling of indignation and distrust throughout India, and, more than almost any other act of their self-will and caprice, have shaken the confidence of their Civil Servants, who can no longer be satisfied that a similar measure of injustice and cruelty may not be meted out to them, individually, whenever it may suit the malice of their enemies to avail themselves of the facility which the Court of Directors has unfortunately shewn but too much willingness to give to calumnious charges against even their most meritorious officers.

That this feeling of insecurity has at length been forced upon the Company's Servants, and pretty generally pervades their Indian territories, the following remarks of the *Meerut Observer*, on Mr. Ricketts's “*Refutation*,” may be received as one proof taken from many furnished by that portion of the press in the East, that is not subservient to the Company or the Council:—

“The *Refutation* is drawn up with considerable tact and ability,—We think that Mr. Ricketts has fairly and justly disproved the charge of running away from his accusers, and has good grounds of complaint at the mode in which the investigation of his conduct was carried on, and at the refusal to grant him any insight into the accusations on which his character was impeached. The question is important,—



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whether having offered the alternative of awaiting in this country the appointment of a commission to conduct the investigation, or stand the result of an inquiry carried on in personal absence, and the latter being tacitly accepted, the Government have the just power to depart from their own regulations in the mode of conducting such investigation?—Secondly, Whether guilt can be fairly implied from a refusal to furnish evidence against *self* in a species of Inquisitorial confession long since banished from a free country? *The production of Agents' or Bankers' books, or other private accounts, is a test that we fancy few men would either wish or be willing to abide by, from the Chairman in the Committee Room, to the Porter in the Hall of the India House.* How many nefarious and illegal proceedings would be laid bare, were each necessitated to produce the book of his lawyer, attorney, or agent, on ~~the mere~~ challenge of suspicion, or demand from the calumniating voice of envy or hatred. But to the Services of India there is another question of great and peculiar importance:—the claim advanced by the Directors to possess an endless and everlasting power over those who enter their service—that after having fulfilled every iota of the contract, and “retired from the service,” on the stipulated pension, the Directors may think proper for some cause (whether just or unjust, signifieth not) to decline compliance with their part of the contract, and *dismiss* from a service which has long been resigned!! If such power be acknowledged, what security of pension is there to any person who may in the course of his service have committed the slightest offence, and on which the Court could hereafter ground dismissal? The principle is one of vital importance, and we sincerely hope may be brought to issue. We wonder if these immaculate Directors would like to be called upon to exhibit the sources of the wealth obtained by most of them in India. We suspect the gold of Lucknow forms the basis and foundation of more fortunes than one.”—*Meerut Observer.*

“THE PRINCIPLE IS,” indeed, “ONE OF VITAL IMPORTANCE;” and as such have we strenuously contended for it. The case in which it has been called into question is one that, if such an exercise of arbitrary power on the part of the Court had not been firmly resisted, might have established a precedent, pregnant with danger to the interests of the Company’s Service—Civil as well as Military. To the latter, concessions have of late been made—and made of necessity, but in justice—which may afford its members sufficient security against further encroachments upon their rights and privileges. But no such issue has yet been achieved—no such protection has yet been established for the Civil Service;—nor can there ever be until Mr. Mor-



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daunt Ricketts is relieved from the oppression and persecution with which he has been assailed,—his property restored,—and his reputation cleared from undeserved aspersion. Though he stands, at the present moment, singly opposed to, and oppressed by, the Court, yet the struggle is not his individually—or alone. It is a struggle in which the interests and honour of every member of the Service is equally involved; and on this ground—apart even from those personal considerations to which no honourable mind can be insensible—did Mr. Ricketts make a stand, in the first instance, against the despotic demand of “the Governor-General in Council” that he should submit his *private accounts*, and the *pecuniary affairs of his family and friends* to the scrutinising impertinence of his enemies and detractors. We are assured by those who know him well, and have had opportunities of satisfying themselves of the actual state of his affairs at that time, and of the very accounts into which the “Right Honourable” founder of the *espionage system* in India was so anxious to pry; that had the whole of his pecuniary transactions, public and private, during a service of five-and-twenty years, been thrown open to the inspection of the Government and of the world, so far from furnishing matter for accusation or discreditable reflection, they would have proved how fair and unimpeachable were all his dealings. Of this, Mr. Ricketts was conscious; and that consciousness nerved his determination not to submit to a demand which was as tyrannical and unjustifiable on the part of the Government, as it was derogatory and insulting to him, and, above all, fraught with most pernicious consequences to the whole service, as laying down a precedent which would expose its members to unceasing annoyances, and to the danger of having their own private memoranda of the state of their pecuniary affairs tortured into proofs of their delinquency whenever the caprice or injustice of a Governor-General, or of the Council Board, saw fit to single any one of them out for a similar display of the Government’s absolute authority. We say again—the cause is not that of Mr. Ricketts alone,—but of the service generally; as such have we advocated it—and as such shall we continue to advocate it till complete justice be done to all parties; and if the Company’s Civil Servants be but true to themselves—if they value as they ought their own independence and safety, they must collectively and individually feel how much they owe to that man,—who, not merely for the vindication of his own honour, but likewise for the protection of their interests, has, at such unequal, such fearful odds, resisted the arbitrary power of the Government abroad, and of the Court of Directors at home. That every



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honourable mind—that every man cherishing the independence of high principle, sympathises with Mr. Ricketts, we are well assured; and we are not without a hope that such sympathy will ere long be manifested in a spirit which continued persecution cannot fail to arouse. To him it must, in the mean time, be in the highest degree satisfactory to know that, whatever the conduct of the Court of Directors as Trustees, Guarantees, and Paymasters of the Bengal Civil Service Annuities may be, it is neither supported, sanctioned, or even countenanced by the Managers of that Fund in Calcutta; for we have learned from a quarter which we consider entitled to implicit credit, that, in reply to a demand recently made upon that Board by Mr. Ricketts for the restitution of his rights, the reply of the Managers, so far from approving the course pursued by the Court in England, did not even admit their cognizance of the steps that had been so unwarrantably taken here, but referred Mr. Ricketts to the Directors as the parties “by whom all payments in England, on account of the said Fund, are made.” From this one act it is clear, that the Managers do not admit the legality of the power assumed by the Court to exercise their own discretion in the suspension of such payments once begun to be made, on any pretence whatever; nor do they acknowledge the power assumed by the Court to drag a retired servant back into their service, merely under the pretext of a formal dismissal to deprive him of his property:—neither again do they concur in the Courts’ interpretation of that regulation which refers to the dismissal of a *Subscriber*—and a *Subscriber only*—to the Fund, but which the Directors would extend, beyond all equity, to *bona fide Annuitants*. Had the Board of Managers and the Court of Directors been of the same opinion, or arrived at the same conclusion, on all or any of these points, it is obvious that the reply of the former, instead of conveying a reference to the Court virtually for the payment of a just demand, would have expressed their acquiescence in the justice of that plea by which Mr. Ricketts’s forfeiture of his claim was attempted to be justified. But it is indisputably clear that the Managers of the Fund and the Directors of the Company are decidedly at issue on all these points; and the Managers owe it to their own honour, and to the protection of the Service, to insist upon the full performance of the contract entered into with them, and to compel the Court to do justice to Mr. Ricketts.

But, unjustly and cruelly treated as Mr. Ricketts has been, we scarcely know whether more to admire and applaud the manly firmness with which, under the most discouraging circumstances, he has unshrink-



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ingly opposed and defied the machinations of his screened calumniators,—the threats of “the Governor-General in Council” at Calcutta,—and the illegal confiscation of his property by the “Monourable Court” in Leadenhall-street,—or the forbearance with which, under all this monstrous provocation and accumulated wrong, he has refrained from retaliating upon his oppressors by the publication of such documentary evidence as all who are acquainted with the administration of affairs in the East may well suppose that he cannot but possess, from the high and important station he held so long in the service. Under so galling a sense of unmerited injury, there are, we believe, few men to be found who could so long have forborne the adoption of such a course; and though we never shall urge it upon him, yet we do feel—and the Court of Directors should likewise be taught to feel—that there is a point beyond which endurance of injury ceases to be a virtue. But it is now our object and our anxious wish to prevent, rather than to suggest, such disclosures; and to promote a spirit of conciliation on the one part, and a desire to do justice and to redress grievances on the other. We would, therefore, entreat the Court of Directors to take the case of Mr. Mordaunt Ricketts once more into their most serious and most favourable consideration. Great as the wrong has been that they have done him, they have, by that act, involved themselves in contrarieties from which their only chance of escape is to be found in correcting their first great error. We will illustrate our meaning, by citing the case of Mr. Ricketts, and contrasting it with one of recent occurrence. Mr. Ricketts, in retiring from the service, observed *all the formalities* that had previously been respected by other civil servants—and his retirement was recognised and ratified in the fullest and most perfect manner by the Court in the payment of his annuity for four years—at the end of which period, the self-same Court took it into their heads that he was still in the service, and then assumed a right of dismissing him! Within the last month, one of their civil servants, who had resigned, and in that resignation had taken precisely the same steps taken by Mr. Ricketts, and received his annuity for some time, being desirous of returning to India, petitioned the Court to be allowed once more to enter into their service, and to forego his annuity; but the Court, in reply to his petition, informed him that such a proceeding was impossible, as *he had quitted their service!* To this, he rejoined, that “he was surprised at such a refusal, as in the case of Mr. Ricketts the Court had ruled that they did not accept resignations.” This observation, it is said, has some-



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what perplexed them ; but we know not what has been the ultimate result of the application. If the rule holds good in the case of one civil servant, it is impossible to conceive how it can be less valid in the case of Mr. Ricketts.—But now, in conclusion, we beg the Directors to look back upon the whole of that gentleman's official career, to satisfy themselves how free its course has been from any one of those circumstances that could justify even the suspicion of such criminality; as, on the malignant representations of his enemies, they have been induced to impute to him. When Lord Hastings, in relinquishing the government of India, selected Mr. Ricketts as the public servant best qualified to undertake the arduous and severely responsible duties of Political Resident at the Court of Oude, he was warned by all those of his friends whose experience enabled them to form a correct judgment of the difficulties, and even of the dangers, by which an appointment so seemingly enviable was surrounded. He was told that his every action would be subject to the most jealous scrutiny ; and his path at every turn be beset by spies. With every consideration, therefore, perpetually present to his mind, to warn him from being betrayed into the most trivial dereliction of duty, there could be no motive sufficiently powerful to induce him to furnish those who regarded his promotion with jealous eyes with occasion to misrepresent his conduct to the Government ; but, on the other hand, every motive that honourable ambition could inspire must have actuated him to pursue the straightforward path of integrity, seeing that he had in prospect, and at no distant day, the attainment of the highest honour that the East India Company could confer. Thus, whilst it is clear that he had every thing to lose—fame, honour, wealth—by yielding to the corruption of the Court of Oude, he had no equivalent to gain ; and therefore no incentive to do wrong. Neither has any dereliction of duty been proved against him ; nor the calumnies of his accusers been sustained by any show of testimony entitled to the slightest credit. Up to the close of Lord Amherst's Government, that Nobleman paid the highest possible tributes to his services ; but neither the recorded value of those services, nor the consciousness of his own integrity, could resist the undermining influence of Lord William Bentinck's system of *espionage* and *secret reporting*. Let the Court of Directors ponder well upon these things ; let them honourably determine, with the opening of the New Year, to TURN OVER A NEW LEAF ; and in pursuing the honest and wholesome advice we have thus freely offered them, they may find cause to thank us for our " NEW YEAR'S GIFT !"



## THE OVERLAND ROUTE FROM INDIA *via* EGYPT.

The first step in an expedition of this kind is the passage from Bombay to Cosseir, which may last fifty days, but more frequently much less time. It is then necessary to prepare for crossing the Desert; in the first place hiring a Bedouin servant to assist in cooking and general purposes, at the wages of three drs. to Keneh or five to Alexandria; 10 camels with their owners will be needed, these can be obtained at 13 krug each, they finding their own water and provisions. The Bedouins will assist in pitching the bechober or tents, but not without expecting a present—*buckshesh*. The following items should be procured—a few fowls, charcoal and fuel for four days' cooking, some white porous goglets, and flour for *hoppers* or cakes. Horses and asses are to be hired, 20 drs, for the latter to Keneh. These animals (like all money transactions) are very cheap. If ladies or children are in the party, travelling in a *shubrir*, a kind of krate to be lashed across the back of the camel, should be avoided. It is 4 feet by 2½, but, however much bedding may be used it will not altogether protect one's bones from the violent double motion of the animal. If a *toaktarowan*, a large wooden palanquin or box, is not to be had, one may be sent for from Keneh. Travelling by night is preferable to that by day, from the latter's intense heat.

A recent traveller gives the subjoined estimate of his route:—  
 "On the 1st of May I started; but as the heat of the day was intense, I only travelled at night: the route as follows:—

1st May	6 P.M.	started at	11 P.M.	halted at	Elr English (wells)	13 hours	12 miles.
2d	"	5 ditto	"	6 A.M.	" Briggs' well	13 ditto	26 ditto.
3d	"	6 ditto	"	2 A.M.	" on a plane	8 ditto	16 ditto.
4th	"	6 A.M.	"	1 P.M.	" ditto	7 ditto	14 ditto.
"	"	6 P.M.	"	1 A.M.	" at Egheiba wells*	7 ditto	14 ditto.
5th	"	7 A.M.	"	4 P.M.	" at Biremba Village	9 ditto	18 ditto.
6th	"	2 A.M.	"	6 A.M.	" at Keneh	4 ditto	8 ditto.

53 ditto 408 ditto.

The traveller, when engaging his camels, should let the owners understand they are to halt and start at his option, and that they must carry plenty of water for the voyage.

Always on your own riding animal have with you goglets of water, a commodity much required in so dry an atmosphere. The thermometer is usually from 64 to 110 in the tents, generally not higher than 100.

The line of road for 20 miles, hard sand and stones among low isolated hills. After passing this distance from Cosseir, you enter between two low perpendicular mountains. This defile is long and narrow, not wider than from 200 yards to ¾ of a mile, and the sides of the rocks are

\* Legletta by the Bedouins.



slatey, crumbling between the fingers. They resemble the butt-ends of large timbers that have petrified after being burnt. Amongst the hills, for the first day's march, rock-salt and asbestos is found. The hills are composed of black rock, slate, quartz, and greenstone. Neither agate, so common in Egypt, nor crystals are observable. The water at Briggs's wells is to be had in small quantities, sufficient for a party, and may be used for cooking. Four hours from hence you arrive at a pool of water (good) oozing through the rocks. Here are several dry water-courses, formed by the heavy rains which occasionally fall all over Egypt and the Desert. At this place, called Hammamet, on the side of the mountain, are some hieroglyphics, cut and chalked out; 49 miles from Cosseir; from hence you descend towards the plain through which the Nile flows. The rise from the sea is gradual, and the wells appear to be on the most elevated part. Before reaching Engheiba you quit the narrow pass of the mountains, and for the first time travel over soft sand. The country is hilly. Here is a dilapidated caravanserai. Near all the wells you are likely to meet with wandering Bedouins under wretched shelter of tattered mats, and coarse woollen blankets; the garments are old, in rags, full of dirt and vermin. Occasionally milk and eggs are to be purchased from them. Within a mile of Biremba, the land is flat and cultivated, which reaches to the Nile. The sand mounds and deserts form a well-defined line with the cultivated land. Kenah is a decent market town, of some importance, being the thoroughfare for Egyptians, and Western African pilgrims to and from Mecca. Said Hassain, the English Agent by firman, is civil and attentive, but like all his countrymen (Arabs in Egypt) and the Bedouins, a great Beggar. The first consideration on reaching Kenah, is to go to a *hummam*. Although from the crowd you meet at it, it is unsightly and repulsive to delicate feelings, the ablution is not on that account to be despised, as it is a real luxury, being a relief to the pains and stiffness in the joints after a tedious journey. At this place hire your *canua*; which may be about 54 feet by 10, with two cabins—low. Visiting Luxor and the ruins on the banks of the river to Cairo, by this mode of conveyance, the charge is 25 drs. It is manned by a raft and 10 oars. It is well to make a written agreement. When settled let your servants superintend the boat being sunk under water for a few hours, then raised and cleaned out; afterwards let lots of boiling water be poured over the poop and cabin decks to destroy the bugs, otherwise these insects are enough to drive a person out of his senses. It is well here to remark that the Arabs on shore and afloat lie with as little compunction of conscience as Sir John Falstaff, when making a bargain, and will laugh at any person's credulity in believing their word. They, like the Bedouins of the Desert, are constantly teas-



ing for *bucksheesh*, which on all occasions must be disregarded. If you are disposed to indulge them they are easily satisfied with a few paras,  $\frac{1}{720}$ th part of a dollar. This small coin it is useful to have in your pocket. Kenh is famous for its manufactory of porous water jars of all sizes. Here purchase a good supply; let two or four be large; perforate a hole in the bottom of one, in which insert a piece of sponge, over the sponge place a quantity of clear sand, through this filter the Nile water into the lower jars for drinking and cooking. These jars are easily secured outside the fore bulkhead of the cabin. Lay in your supplies of flour, coffee, butter, and vegetables, for you cannot always depend on replenishing your wants at the towns or villages on the river. If the traveller intends visiting these, let him proceed first to Luxor—its temple is a few yards from the river. This will occupy one day, to examine the ruins. From hence on the long eared nags ride to Carnac, four miles distant. Let the boat drop down the river to be in readiness to convey him across to Gournah. Carnac ruins are the most extensive and magnificent in the world. When curiosity is satisfied, leave for the tombs of the kings on the western side. These excavations are more wonderful than the Pyramids of Giza. To reach them on donkeys, the visitor rides over broken pieces of agate, rock and pebbles, between two narrow mountains, gradually ascending. They are situated four or five miles from the river. Be careful to have plenty of water and refreshments with you, so as to pass the whole day in examining the largest opened by Belzoui. Nos. 7, 9, 11, 14, are the best. At all the temples and ruins, candles or flambeaus are required. 4 or 5 miles south of the tombs on the plain, are the statues of Memnon and temple of Medinet Aboo. Between the tombs and the boat are some mummy pits inhabited by Arabs. The entrance to the tombs and pits is over rubbish and hollows dug by the searchers after antiquities. Thirteen miles from Carnac, on the same side of the river, is Kous, where there is a Propylon and more ruins; eight miles from hence is ancient Coptos; eight miles further on is Kenh. Opposite this town, northern side, are splendid ruins of Tentyra, 4 miles inland. This temple is considered the most perfect in Egypt, and is worth the trouble of visiting. 24 miles off Kenh, on the western shore, is Haon, near which town are the ruins of Disopolis Parva. On the opposite of the river is Kasres Said—more rhina. At Haon, one cannot procure any refreshments or even milk. 3 miles further on is Farshout, formerly a place of importance. 30 miles from Haon is Girgah, with 7 minarets, a Coptic village, and church; it is a large town falling fast into decay; bazar well supplied, and some public baths. On the hills on the opposite side of the river is one of the many Coptic monas-



teries to be found in this country. Near Girgah are the ruins of Abydos. 10 miles from hence is Mensyah, a small village, the site of Ptolomais Hermii. 8 miles further on is the Town of Ekmoun. On the eastern bank are the ruins of a large temple of Pannuth with Greek inscriptions.

At Chemsis there is a poor bazar. 9 miles from Ekmoun, eastern side, is the mountain Shaik Erady, perpendicular: the friction of the water at its base forms cavities which give forth echoes to the songs and hollos of the people in the boats: half way up are excavations, some containing hieroglyphics, which induces antiquarians to suppose them to be the places of interment of the ancient Egyptians. In the early age of Christianity they were the residence of Monks and Anchorites. Fifteen miles from Ekmoun you pass the large town of Tahbat on western shore: here a brisk trade is carried on. 7 miles further is the village of Tenah. At both places are ruins; and opposite the latter is Gamel Kebr, on the eastern bank, where there are ruins of a temple and portico. Seventeen miles from Tenah is Siout, on the western bank, the capital of Upper Egypt. The banks here were 20 feet steep. This city is two miles inland and has 8 mosques, and a palace belonging to Ibrahim Pasha, more like a country house for a gentleman. Among the hills are crocodile-mummy-pits and ruins of temples. This city is worth visiting: a good market at 3 P.M. The land is irrigated and banked, with bridges to admit the water from field to field. Poppies, tobacco, and plenty of vegetables are cultivated. 20 miles further on is the small town of Manfalout, on the western side. On the eastern mountain is a coptic monastery. Near Manfalout, close to the water, are many caves. The eastern mountains continue to form the boundary of the river; its quarries supply excellent lime and stone for building. A few miles further on is the mountain of El Harabec, famous for its innumerable excavations, extending many miles along the face of the steep declivities. It is so steep in some places that it is surprising they could be the residence of man, who must have derived his support from the charity of boat people passing up and down the river. These caves are of mean appearance, not more than four feet entrance. 15 miles from Manfalout is Tarout-es-Shercef, where the Youssef Bahir or Joseph's Canal commences. This splendid work, which formerly supplied the province of Tacoun and the country to the Delta with water, is now filling up and its banks falling into ruins. Four or five miles more south is another entrance to this canal, nearly choked up with mud. On the eastern hills is a tomb, dedicated to Shaik Said; here the boatmen make it an expense to land and bucksheesh in honour of this saint. Thirty miles



### *The Overland Route from India via Egypt.*

from Mansalout is the city of Melroui. The houses are hidden in groves of date trees. On the eastern shore are ruins of wells and catacombs. 15 miles above Melroui on the eastern shore, is Beni Hussain, where are the grottos of the temple of Diana. Thus far you do not meet four boats in a day, and no fishermen off any of the villages or towns; there are at anchor many large cargo boats, some building, and others undergoing repairs. The carpenters, and blacksmiths of Egypt are miserable poor workmen. At many places there are regular ferries; each individual pays his fare according to his station in life. The banks of the river are well stocked with oxen, sheep, goats, buffaloes, camels, and asses. There is very little cultivation on the eastern shore, as the mountains reach in many places to the water. This side is exposed to high sand-drifts and mounds of fine sand; however every spot that can be cultivated is not allowed to lay fallow. The Nile has more serpentine turnings and sharp angles than any other river ever visited; its general breadth from 800 to 1,000 yards. It has many islands, several of which are covered with water during the inundation. As you descend the towns and groves of date and acacia trees increase. The groups of old men, women, and children washing, bathing, carrying water, form interesting objects when sailing past them. They are friendly and obliging. Minyeh, on the western side, is 35 miles from Tarout-es-Shereef, a flourishing town, with a large spinning cotton manufactory. These massy European-like buildings are to be found in all the large towns from Kenh to Cairo. They are the misapplied ambition of the tyrant of Egypt, who distresses the agriculture of the country, by seizing as serfs all the able men of the villages to work them, and to man his likewise useless navy and his army, which latter is however well disciplined, and his troops do him credit. The machinery in the manufactories must always be in disorder, for the *impalpable* dust will get into the works and injure them. The native artificers cannot repair, or at least the repairs by them are clumsy, so as nearly to render the whole unfit for use. Do what Mahomed Aly will, he can never equal the English either for goodness of materials or cheapness in his own markets. Minyeh is populous: here are the remains of temples and columns. To the north and south are other ruins; in fact Egypt is full of them—catacombs and excavations. Opposite Minyeh the mountains decrease in altitude. Proceeding down the river, a copt from his monastery among the eastern hills, will swim off to the passing boats for charity; on receiving a trifle he returns to the shore and with the agility and rapidity of a baboon ascends the perpendicular cliffs and soon disappears from sight. 50 miles from the north of Minyeh is the



large town of Fashn, on the western side. It is two miles inland and has from the boat a gay appearance. The domes of the mosques and four handsome minarets were white washed. On the opposite bank at Eel Modn, are ruins, 17 miles further on is the populous large town of Benesouf. It is well here to observe that all towns, villages, &c. are built on mounds of rubbish, (the refuse of more ancient ones). Round each is a grove or copse of the the same looking date and acacia tree; few other trees are seen above Cairo. From their sameness they have a sombre appearance; still in sailing down this river, descrying the minarets and black mud houses, as you flit past them, they have an interesting effect, when contrasted with the burnt up earth and the glaring, craggy, broken cliffs, at no great distance from the river.

Here we purchased fresh supplies. Outside the town are barracks for 1,000 cavalry, built in a square. Several of the horses were picketed under a range of trees along the banks of the river. Approaching the capital, population increases; and there is a greater bustle afloat and on shore. The towns are large, built of the black sun-dried bricks of the country. The banks of the river are cultivated with melons, cucumbers, pumpkins and other vegetables. At Benesouf, there are the remains of a brick quay. On the opposite side the rush of the water is so great, that it has worn the rocks away, which gives them the appearance of massy stone quays in ruins. 24 miles north of Benesouf, on the western side, is the first pyramid seen from the boat, opposite which are the ruins of Aphroditopolis. 15 miles further on are the pyramids of Dasher, two in number, and appear the southern continuation of those of Sakara. Many of them resemble mounds of rubbish thrown in heaps on a rocky desert. One was different from the rest, having six ridges or steps; the top flat. All are differently constructed, and inferior in grandeur to the large ones at Giza:—the latter are opposite Cairo, *Masr*—the great.

Lions in and near Cairo. On Rhode Island visit the Ni- leometer on the north end of the island abreast of Old Cairo, where you take boat. The garden of Ibrahim Pasha, is under the superintendence of Mr. Thrale, Botanist. Cross the water for the Pyramids of Giza, 11 miles from the river. Chicken's Ovens and Cavalry School at Giza; the Artillery College at Thoor, under Col. Liquera, a Spaniard, who is very attentive to the English, so is Mr. Gliddon, American Vice-Consul, and Mr. Galloway, Engineer to the Pasha. At Old Cairo, the Roman wall, Greek and Coptic monasteries, where you are shown the Grotto, the holy family lived in when they fled into Egypt; the mosque of Amru, containing several hundred marble pillars, Corinthian order, form-



ing cloisters round an open area; Joseph's granary, near Cairo; Mahomed Ally's Palace and garden at Subra; a palace and stables belonging to Ibrahim Pasha; a college for the instruction of the children of Turks and Arabs, at the expense of his highness, who feeds, clothes, and finds pocket money to the scholars; a Dervesh monastery; a telegraph near the northern entrance of the city, from whence a splendid panoramic view of the city and country is to be seen: the tombs of the Mamaluke Beys. Inside the city, the citadel, the arsenal, Joseph's well, of considerable depth in two sections: some of the mosques, one of which is an insane hospital, which you are permitted to enter—no admission inside a mosque: the bazaars.

On reaching Cairo oblige the rais to take the boat to Boulac, the port of Cairo. Do not go to a tavern, but hire a house or some spare rooms which may be had for a trifle; your servants to cook. By writing a note to the vice-consul, he will send a janissary to clear the baggage of the custom house—the same at Alex. When tired of Cairo hire a boat for Alexandria. Be careful not to be imposed on by examining several and beating down the price. 70 piastres is the full price to Mahoodie, the entrance of the canal where you change boats and soon reach Alexandria. The Golden Dagle, the best of bad inns. Private boarding houses 1 dollar per diem each person. Servant allowed 2 piastres, and, he will find himself. See Pompey's pillar, Cleopatra's needle—the dock yard and a line of battle ship; take your passage on a vessel to either Malta, where the shortest quarantine is and excellent quarters—or embark for France, or Italy, according to fancy. All the levan-tine craft are disgustingly dirty, and their commanders care little for a person's comfort. Servants for the voyage are to be hired for moderate wages or for the run. Lay in your own mess, for an Englishman cannot mess with comfort with the master of the vessel. Do not part with your camp table and chairs, for they will be useful on board and quarantine. Allow 20 days to Malta, 40 to Marseilles.

In Egypt June is the worst month in the year for travelling; the heat violent, the insects and vermin very irritating. The most preferable period for travelling is from September to the end of March. During the summer months, May, June, July and August, the ground is burnt up, and like the desert unsightly and uninteresting. Throughout the country, all classes of inhabitants, particularly the Turks, are attentive and particularly honest.

Supply yourself with a good servant that can speak Arabic. A man of that description may occasionally be had at Malta, or Conseir, always at Cairo and Alexandria. A *bechoba* preferable to



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pole tent—useful in crossing the desert—in the boat the walls make good awnings. Have two well prepared large *mus-sucks*, or 20 gallon casks. Take care that either have been well used, otherwise new ones will spoil the water. Lots of *koozas* at Cossier; stirrup irons and leathers; broad brim hat, if procurable; wire goggles; a thin gauze veil tied round the hat, and fastened at the back of the neck; this will keep off the myriads of flies whose stings are painful; besides they are constantly passing from the sore eyes of the inhabitants, thus conveying the virus to more healthy ones—the cause probably of the ophthalmia, and blindness so common in this country. Every traveller must be guided by his own wants for supplies of coffee, sugar, (both procurable in Egypt,) tea, salted meats, pickles, vinegar—all very useful.

Bottles of chillies, curry stuff, liquor, beer, wine, &c. &c., keeping in mind the less cooking the better. Common arrack for the boat's crew, a small quantity, if you like to give it them, but this is not absolutely requisite; a strong chair; one lantern in a stuffed basket; candles a few cooking pots; rice (Egyptian rice not good); preserved meat; fowling pieces and ammunition; cotton rope to lash your baggage on the camels; two camel bags for smaller packages, and a *settrungee* (small carpet made of cotton); the Bedowins will pilfer the rope if possible. A donkey from Cosseir to Keneh, 2 drs. each person ought to take two water goglets with him on his donkey or camel, as the dry air of the Desert causes great thirst; two leather bottles, to hold bottles of wine or brandy, with straps, useful in the hot weather travel at night; in cold weather, during the day. During winter the nights are very cold. At Cairo many travellers engage Osman Effendi, a Scotch mason, as cicerone; the rooms he lets are not the most comfortable, and your servant can engage you better apartments in many houses by the day. Donkeys stand in every large street. At first choose a good strong animal to be in daily attendance; three krus per diem.

Along the Nile the villages are not worth visiting, excepting where there are some ruins of temples; most of the mosques in them are in a dilapidated state, affording shelter for beggars, asses, and cattle. If servants or boatmen are obstinate and difficult to manage, you can get them punished by reporting their conduct to the Governor of any of the towns. Generally speaking, travelling in the country is less annoying from the natives than in most others. They unceasingly ask for *bucksheesh*, *bucksheesh*. Reply *maufish* (no), to which they good-humouredly laugh, and say, *Inca Allah* (God's pleasure). A few minutes after, the *bucksheesh* is repeated. They are poorly fed and clothed, therefore dirty and covered with vermin, and they are thankful for any kind of food from your table. In the bazaar the coarse bread is cheap, and the poor are thankful to get it as a present when you are passing through. Foreigners are respected and protected all over the country, particularly the English; the European dress brings respect.



MEMOIR OF REV. WILLIAM CAREY,  
LATE MISSIONARY AT BENGAL.\*

The subject of this memoir was the first and principal agent of the Baptist Missionary Society, in seeking to confer the blessings of the gospel upon the heathen world. The work before us was, we learn from the preface, composed at the request of the Society's committee; and we may honestly congratulate the Society on the ability of the biographer they have chosen, for the task committed to him. Mr. Eustace Carey lays before his reader a mass of religious and general information, mostly from the pen of the great missionary himself, and partly in letters written by his contemporaries. The necessary duty of editing has been undertaken without involving the editor in too laborious an examination of his subject; yet still weaving a sufficiency of comment into the memoir, to afford the reader a key to the comprehension of such matters which may happen to remain in a crude state from the occasional incompleteness of the MSS. incorporated in this volume. We find the editorial remarks far detached from each other, short, but most judicious, and extremely well written. A vein of religious feeling pervades the work, which will in no wise prove unacceptable to the most sceptical reader. A moral purpose of the noblest kind is answered; for, whilst this memoir of Carey incites to energy, to enterprise, and to great deeds, it also combines with these an example of deep-rooted morality; an end, indeed, which, if unattained, renders the grandest of all human efforts incomplete.

We shall endeavour to lay before our readers a condensed view of Mr. Carey's life; for the preparation of which we acknowledge ourselves indebted to the memoir.

We learn from this biography that William Carey was the offspring of very poor but reputable parents. He was born in the year 1761, in the village of Paulesbury, Northamptonshire. His education was that which is generally esteemed good in country villages, and his father being (as we learn) a village schoolmaster, he had some advantages over other children of his age and station in life. From his infancy he was taught to peruse and to commit to memory portions of the scripture, and

\* Memoir of William Carey, D. D.; late Missionary to Bengal; Professor of Oriental Languages in the College of Fort William, Calcutta.—By Eustace Carey. 1 Vol. 8vo. London, Jackson and Walford, St Paul's Ch.-Yard. 1836.

*East India and Col. Mag.*, Vol. xiii. No: 74, January. B



thus a religious predisposition was engrafted upon his mind which provided the seeds of that consummate scriptural erudition which has called for the memoir we are examining.

But of real experimental religion he knew nothing till he had arrived at the age of fourteen; nor was the formal attendance upon outward ceremonies, to which he was compelled, the matter of his choice,—“ I chose,” (he says) “ to read books of science, history, voyages, &c., in preference to all other works.” Romance reading was, however, no little portion of his youthful study. “ My companions,” (he continues) “ were at this time such as could only serve to debase the mind, and lead me into the depths of that gross conduct which then prevailed more than now, among the lower classes in the most neglected villages; so that I had sunk into the most awful profligacy of conduct: I was addicted to swearing, lying, and unchaste conversation.”

At the period he thus alludes to, Carey was apprenticed to a shoemaker near the village; but his employer dying after he had been with him but a couple of years, he from that time “ worked as a journeyman.” He now met with a foretaste of the difficulties to be encountered on the rugged road of life:—“ A circumstance which I always reflect on with a mixture of horror and gratitude occurred about this time, which, though greatly to my dishonour, I must relate. It being Christmas, I applied, amongst others, to an ironmonger, for a Christmas box; he gave me the choice of a shilling or a sixpence; I, of course, chose the shilling. When I had got a few shillings my next care was to lay them out; then, to my sorrow, I found that one of my little stock was a brass shilling. I paid for the things which I bought by using a shilling of my master’s. I now found that I had exceeded my stock by a few pence. I expected severe reproaches from my master, and, therefore, came to the resolution to declare strenuously that the bad money was his. I well remember the struggles of mind which I had on this occasion, and that I made this deliberate sin a matter of prayer to my Maker as I passed over the fields home. I there devotionally promised that if I got clear out of this crime, I would certainly, for the future, leave off all evil practices; but this theft and consequent lying appeared to me so necessary that they could not be dispensed with.”

Carey did not get through this affair: he was exposed to shame, reproach, and inward remorse, which increased and preyed upon his mind for a considerable time. His conversion



may be dated from this incident, for we find him from the period at which it occurred, increasingly devoted to religion. His time was chiefly occupied in close attention to his trade and in religious discourse with those of the neighbourhood as seriously disposed as himself. Eventually, his altered character became the theme of general conversation; and, through the instrumentality of a Mr. Chater, he was procured an opportunity of ascending a prayer-meeting pulpit. He acquitted himself satisfactorily, and was often requested to preach afterwards at a number of villages in Northamptonshire. But Mr. Carey was aware of the propriety of joining some respectable church, and being appointed to the ministry in a more regular way. He offered himself accordingly, was received, and soon appointed. Soon after this a number of circumstances, tiresome to repeat, removed him to Moulton. From that time he became more known to ministers,—proceeded to Leicester,—and, from thence, to India. He says “I may observe, that reading Cook’s voyages was the first thing that engaged my mind to think of missions.”

Some few years before Mr. Carey quitted England he had married, and found himself the father of a small family. This circumstance by no means diminished the troubles which a life, such as he had embraced, was necessarily “heir to.” But he thirsted for knowledge, although with little facility for its attainment; nevertheless, he made sensible improvement in the cultivation of a mind always studiously inclined. But incidents occurred, a rapid succession of events were put in motion, which quickly smoothed his access to ultimate eminence in literature and science, and conducted him to a sphere of religious activity, which, for extent and importance, has seldom been paralleled in the annals of human enterprise. Circumstances having early introduced him to a number of respectable provincial ministers, frequent and familiar intercourse with them tended greatly to the formation of his mind for the occupation he had chosen.

His removal to Leicester, (1789) wretchedly poor, but greatly respected, afforded him increased opportunities for the acquisition of every species of knowledge. Dr. Arnold gave him free access to his library; a circumstance which, together with other attentions he received from that gentleman, nourished his love of science, and, making him acquainted with the best works then extant upon its several branches, prepared him to pursue his studies more effectually when abroad and shut up



to his own resources. By his removal to Leicester his temporal circumstances were somewhat improved. Settled there, in some degree of comfort, Mr. Carey addresses to his father the following short diary:—

“On Monday, I confine myself to the study of the learned languages, and oblige myself to translate something.—On Tuesday, to the study of science, history, composition, &c.—On Wednesday, I preach a lecture.—On Thursday, I visit my friends.—Friday and Saturday are spent in preparing for the Lord’s day;—and the Sunday, in preaching the gospel. Once a fortnight, I preach three times at home; and once a fortnight I go to a neighbouring village in the evening. Once a month, I go to another village on the Tuesday evening. My school (which he kept at Leicester) occupies me every day. I act as secretary to the committee of dissenters, and am about to be appointed to that office, with a salary. Add to this, occasional journeys, ministers’ meetings, &c., and you will rather be surprised that I have any time, than that I have so *little*.”

Here we perceive what can be done by a systematic course of conduct. For a man to study all these duties, *olla podrida*, would be to attain nought but a broken mind and constitution for his pains; but the most incredible tasks are overcome by system. Few of our most eminent characters but ascribe their rise to a similar cause.

We shall now proceed to allude to Mr. Carey with regard to his missionary views, which had long taken a hold upon his thoughts. His biographer remarks;—

By degrees Mr. Carey succeeded in bringing his ministerial brethren to sympathise with him on this topic. Several opportunities were offered, by their periodical meetings, for maturing them into some ultimate and feasible plan of operation. The first of these was at Clipston, Northamptonshire, (1791) when Mr. Fuller and Mr. Sutcliff preached sermons appropriate to such a design. After the sermons, Mr. Carey urged his brethren to form themselves into a society. A second meeting at Nottingham, one year afterwards, was the occasion of further progress;—a plan of Mr. Carey’s was organised;—a committee was formed, and the first fruits of its benevolence were offered to advance the institution which their piety and zeal originated.”

Mr. Carey signified his willingness to become the first to adventure himself in the enterprise, and was accepted. He was appointed to go to Bengal, a missionary to the Hindoos.



The reader may be tempted to smile that such a design should be commenced with a contribution only of £13 2s. 6d., but more liberal donations succeeded; £100 more was raised by the exertions of a Mr. Pearce, and the funds of the "Baptist Missionary Society" were soon swelled to a respectable treasury, though still insufficient for its purposes.

The Church at Leicester having generously consented to yield up their pastor for foreign labour, and this infant Society being somewhat recruited by an accession to its numbers, and an augmentation to its resources, a service was holden there, to set apart Mr. Carey, and Mr. Thomas, his colleague, as Missionaries to the "heathen world." Their passage was taken on board an East Indiaman, and they proceeded to Ryde, Isle of Wight, to await the summons for embarkation. The difficulties and disappointments which befel them, almost to the extinction of their hopes and those of the Society, with the singular manner in which they were surmounted, forms a long and interesting chapter of the Memoir. The subjoined letter which Carey penned to a friend, explains the main point of the opposition the Missionaries met with;—

*"Ryde, May, 1793.*

"I have just time to inform you that all our plans are entirely frustrated for the present. On account of the irregular manner of our going out, an information is laid against the Captain for taking a *person* on board without an order from the East India Company. The 'person' not being specified both he and myself, and another passenger, are ordered to quit the ship, and I am just going to take all my things out. Our venture must go, or it will be seized by the Custom House Officers. I know not how to act."

Mr. Fuller (a friend of Carey's) alluding to the same subject observes to his brother, in a letter:—

"Perhaps Carey has written to you—we are all undone—I am grieved—perhaps leave will never be obtained now for Carey, or any other (Missionary), and the adventure seems to be lost.—He says nothing about the £250 for the voyage; 'tis well if that be not lost." &c.

Mr. Carey and his companion (Thomas) returned to London, depressed and almost overwhelmed with their disappointment. In the course of a few days, however, the scene began to brighten, and their spirits to rally. The perseverance of Mr. Thomas, at this trying juncture, was rewarded with the success



it deserved. Mr. Thomas, in a letter to Mr. Fuller, relates the facts:—

“ Carey was for asking leave of the Company now, but they had just set their wicked faces against a Mission to the East Indies, by sending some of their ablest advocates for total darkness to plead against all Missionaries in the Commons of Great Britain. While Carey wrote to his wife, I would go to a coffee house, with eager desire to know whether any Swedish or Danish ship was expected to sail from Europe to Bengal, or any part of the East Indies this season; when, to the great joy of a bruised heart, the waiter put a card into my hand, whereon were written these life-giving words—*A Danish East India-man, No. 10, Cannon Street*,—no more tears that night. Our courage revived. We fled to No. 10, Cannon Street, and found it was the Office of Smith and Co., Agents; that Mr. Smith was a brother of the Captain's. The terms were too high for us; we went away wishing for money. Carey had 150*l.* returned from the ‘Oxford’,—this was little or nothing. Our baggage was still at Portsmouth. That night we set off for the sea-side, and breakfasted with Mrs. Carey next morning.” She at first refused to go with the Missionaries, but ultimately consented if her sister accompanied her. “The counting of the cost, however, was still enough to damp all hope. No less than eight persons’ passage to be paid for, besides the necessities to be bought for sitting all out for so long a voyage, would require 700*l.* at least. Great exertions, procured us, in all, 300 guineas, which were offered the Captain for our voyage.” Singularly enough, the money was accepted, and that too, without rendering it necessary that any one of the Missionary party should be put to any unusual inconvenience, in consequence. They embarked, and, during the whole voyage, were well-treated, and, after experiencing shipwreck, safely landed on the shores of India.

During the voyage, and for some time previously, Mr. Carey studied hard to acquaint himself with the Oriental Languages. His progress was small at first, but, on arriving in Bengal, it became remarkably rapid, because of the facilities afforded his enquiring mind through converse with the natives. He wrote home immediately for a Persian bible, and other works likely to aid his acquaintance with the native languages. Almost directly after landing, the colleague of Mr. Carey preached to the native people. But the Missionaries underwent the most disheartening trials whilst proceeding in their good work. The



natives always evinced either excessive ignorance, or the greatest apathy; and, for some years, Mr. Carey, the most zealous of all Missionaries, before or since, did not effect the conversion of a single native. Mr. Thomas, though an amiable and even enthusiastic brother in the good cause, could not be induced to detach his mind from secular affairs: he embarked in business as a Surgeon, and, for a time only, gave Mr. Carey his assistance at desultory opportunities.

• It will be remembered that Mrs. Carey, in the first instance, refused, and was, afterwards, with much difficulty, prevailed upon to accompany her husband. When severe trials arose upon their landing in India, she was quite unequal to their endurance. Their resources, slender from the first, were fast exhausting; their little comforts becoming more circumscribed and scanty, were every hour diminishing, without the least prospect of replenishment from any known source. A mother, with a young and infant family, in a foreign land, without friends to soothe her, or the power of uttering, or understanding, a sentence beyond the limits of her household; the very abode they lodged in, incommodious as it was, secured to them only by the daily sufferance of a native. Week after week passed away, until they were brought almost to the brink of starvation. No wonder that such a woman as Mrs. Carey, brought up in an obscure village, without any advantages of mental, and few of religious culture, with a spirit unusually timid, and an enfeebled frame, it was no wonder that she should sink under these accumulated miseries, and become the wretched victim, to *monomania*, (as was the case) and an irrecoverable invalid. Had Mr. Carey viewed the matter of his wife's accompanying him, in the light of more calculating worldliness, rather than in that of an enthusiastic votary to the cause of religion, it would have been well for her, but she was a sacrifice to the Deity.

Another affliction, and almost equally severe with that just brought into view, which exercised the patience of Mr. Carey, arose from the character of his companion (Thomas.) He was unthinking, unthrifty, volatile, and capricious—characteristics the very opposite of those which constituted the former's mind, and determined his conduct. He was deliberate, frugal, and self denying; clearly defining to himself some great master object, and pursuing it through fire and water! The little money they had was in Mr. Thomas's keeping, who took his measures and disbursed funds almost independently of the ad-



vice, and frequently with too little apparent regard to the comfort of his friend. Having been twice a resident in India before, Mr. Carey naturally deferred to his opinion, and yielded himself to his guidance. This was so far the case, that in a few months they were all reduced to destitution. It is but fair to state, that Mr. Thomas's singularly erratic temperament as respects the missionary cause, proved but temporary, as is shewn by his ultimate conduct alluded to in the course of the Memoir. That he was mainly instrumental in fixing his colleague in comfortable circumstances is also evidenced. Mr. Carey in one of his letters to England, thus speaks of his own condition and that of his family in India:—

“The Captain (Christmas) had often spoken of me as a person of botanical taste, and had lent a botanical work of mine to one who is high in the service. He desired that I might call upon him, which I did; when I found that a person of botanical taste had been sought for some time, to superintend a part of the Company's botanical garden, but that a person had lately been put into it. He invited me to dine with him, and was very kind, and there is reason to suppose that I may be presented with a place there. This, concurring with other circumstances, induced Mr. Thomas to determine upon Calcutta for his residence, and I intend to take land of Brahmuns or other Natives, and settle in the neighbourhood, and wait till I see the event of things. I have already learned so much of the language as to understand a few phrases and many words. The characters (Native language) are about six hundred, which I send you a specimen of. Since I have been here my family has been much afflicted; my wife and two eldest children have been very ill for a month past. These things are a great affliction: but I trust that all will work for good. If my family were but hearty in the work, I should be happy! but the pomp and grandeur of Europeans here have intoxicated their minds; so as to make them lonely in the midst of a hundred thousand people.”

When Mr. Carey applied to his brother Missionary respecting the state of their finances, he discovered that he was literally without a farthing. To purchase land, therefore, as was his project, was now out of the question. Through Mr. Thomas's injudicious application of their small capital, it was all consumed; however, the latter was enabled to hold forth hope and assistance to his brethren, through his connexions in India; and thus they toiled on, scantily supplied with provisions; and



miserably sheltered until the lapse of a few months, when Mr. Thomas assisted Mr. Carey in procuring employment in an Indigo establishment at Malda. The required duties were not so heavy but Carey could apply himself still, in a great degree, to the objects of his mission. Indeed, he would have hardly been led to the acceptance of this employ at all, were it not that by doing so, opportunity would be afforded him of applying his zeal upon the hearts of the numerous body of Native servants employed in the Indigo Factory. Installed in this office, he was now in very comfortable circumstances. He equally divided his time amongst the duties of the establishment and in religious converse with the Natives; the former occupation was most productive of immediate benefit to him than the latter, for he soon possessed property enough to materially aid him in his divine projects; yet these, it is to be regretted, were progressing but slowly. Mr. Carey wrote to the Society, informing them of his improved situation, and acquainting them that he would make no further pecuniary claims upon them for the time being, but hinted that he had a project in view, in which they might assist him, it being particularly in reference to the interests of the Society. That project referred to a plan for casting types in order to print the language of the Hindoo. A forthcoming article will treat further of this matter.

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## MILITARY CORPORAL PUNISHMENT IN INDIA.

*(Continued from No. 73, page 526.)*

*The opinion of Lieut.-Colonel Dunlop.*—Corporal punishment ought, in my opinion, to be abolished, unless by the sentence of a Native General Court-Martial. In general, discharge from the service is considered a heavy punishment by Natives, and the abolishing corporal punishment would greatly contribute towards getting a better description of men into the ranks. The relatives of Native officers are often prevented from entering the service from the existence of flogging; but by limiting the infliction of it to General Courts-Martial, an improved feeling towards our native service will, I think, result.

W. DUNLOP, Lieut.-Col., Quartermaster-Genl.

*The Opinion of Major Honeywood.*—It appears to me that discipline cannot be efficiently upheld in the Native Army, if the infliction of corporal punishment be abolished *in toto*. I would always make an example for theft, and cases of gross insubordination.

E. J. HONEYWOOD, Major.



*The Opinion of Captain Bird.*—The total abolition of corporal punishment, would, unquestionably, be considered a vast boon by our native soldiery; and its probable operation would be the introduction into our ranks of more young men respectably connected, whose friends are, perhaps, deterred from offering their connexions from the knowledge that corporal punishment does exist, without, in all probability, understanding or appreciating the restrictions which obtain.

Whilst the total abolition of corporal punishment would, on the one hand, operate beneficially with the well-disposed, it might, on the other, tend to encourage the evil-minded, who are at present restrained only by the fear of the lash.

Should such be found to be the result, and a repeal of the total abolition of corporal punishment be deemed necessary, the introduction of it after once being abolished, would, no doubt, be received with dissatisfaction.

Under these considerations I am inclined to believe the total abolition of corporal punishment, involving, as it surely must, doubts as to its general operation, might not with safety be attempted.

The restrictions in the circular of 2d November, 1832, might, perhaps, be beneficially extended by confining to General Courts-Martial the power to inflict corporal punishment, and were the crime of theft to be made cognizable in all practicable cases by the Zillah courts alone, it would relieve Courts-Martial from investigating so disgraceful a charge, and would tend to raise military courts in the opinion of the men.

It may not be considered out of place to mention here, in proof, that the restrictions which obtain almost virtually amount to a total abolition of corporal punishment; that in the 24th regiment Native Infantry, not a lash has been inflicted for the last five years, and only once has it been awarded.

During three years of this time the regiment has been employed for a considerable time in active operations, and has been and is now taking harassing duties, and yet only one Court-Martial has been convened, and, had the circumstances which originated this one Court-Martial occurred with any other individual in the corps but the one in question, recourse to such an extreme measure would hardly have been deemed necessary.

LOUIS BIRD, Captain.

*Opinion of Captain Henderson.*—The limitations in the circular of 2d November, 1832, from the Adjutant-General's office, already restrict the infliction of corporal punishment to cases of



extreme urgency and serious delinquency on the part of the native soldier. The punishment at all under such injunctions must be very rare. It does not appear advisable altogether to abolish this ultimate means of severity and example; but the power may be somewhat further restricted, and its use, as is desirable, be still further diminished. The circular above-mentioned confers the power on regimental, brigade, garrison, and detachment Courts-Martial; it might be reserved only to General Courts-Martial.

H. B. HENDERSON, Captain.

(Extracts)

At a meeting of officers convened by his Excellency the Commander-in-Chief, by Order of the Right Hon. the Governor-General of India, at the Adjutant-General's office, in Fort St. George, on Wednesday, the 4th June, 1834.

Present,

*President*—Lieut.-Colonel T. H. S. Conway, Adjt-Genl.

*Members*—Lieut.-Colonel M. Riddell, 2d Light Cavalry—Lieut.-Colonel J. H. Frith, Artillery, Principal Commissary of Ordnance—Lieut.-Colonel J. Hanson, Quartermaster General—Captain T. Eastment, 26th regiment N. I. Secretary to the Clothing Board.

The committee having deliberated on its instructions, and given due consideration to the several papers, on the important subject of the limitation of corporal punishment, which the Adjutant-General has laid before it, and which form part of the records of this Army, it will be seen that restriction of the lash has been a subject which, from the time Sir Samuel Auchmuty commanded this Army to the present moment, has been repeatedly and strenuously inculcated. The committee, therefore, records its opinion, as follows, on this momentous question:

That it would seriously militate against the discipline, good order and subordination of the Army *entirely* to abolish corporal punishment, or to allow the soldiery, whether European or Native to feel an exemption from the pains and penalties of crimes deserving the severity of the lash; but that, both in moral influence upon the pride and feelings of the soldiers, and the depression of spirit and manly feeling produced by its disgraceful effects upon the character of all but the most abandoned and irreclaimable individuals, it is desirable to limit the infliction of the lash, and to restrain the indiscriminate infliction of corporal punishment, and even the obloquy of trial by Courts-Martial on trivial and minor offences, as much as practicable with a due regard to the *morale* of the Army.



The injudicious resort to severity of punishment debases the soldier's mind, and renders him callous to the support of character, the pride and manly bearing which should characterize the profession of arms, and the good opinion of his superiors. But, by the substitution of wholesome restraints, and minute attention to check minor offences, flagrant crimes will become less common, and the knowledge that the power exists to punish with severity those of graver or disgraceful nature will operate advantageously on the self-pride and professional feeling of the soldiery; and the Committee anticipate that, in progress of time, the necessity of having recourse to severity will become a measure of rare occurrence.

To effect these objects, the Committee recommend that regimental Courts-Martial, whether on European or Native troops, be limited to the trial of offences of a disgraceful nature; viz,—

1. Insubordination and violence, or offering violence to superior officers.

2. Drunkenness upon duty.

3. Sale of, or making away with arms, accoutrements, and necessities; stealing, or other conduct of a disgraceful nature.

And, further that, for these offences, when attended with any circumstances of an aggravated nature, as well as all other crimes and misdemeanors now cognizable by martial law, the soldier shall be liable to trial by a general or other superior Court-Martial, according to the Articles of War and custom of the service in like cases.

This will, in the opinion of the Committee effectually check the infliction of the lash in all ordinary cases, and still preserve the discipline, good order, and subordination of the Army, by a proceeding which, from the progress of the charges, the deliberation of superior intermediate authorities, and the higher tribunal before which they must be tried, with the ultimate confirmation of the highest military authority, will be divested of all hastiness of decision or precipitancy of judgment, and secure to the soldier the most impartial hearing, judgment, and decision upon his ultimate fate.

The Committee is, however, of opinion that, with these restrictions of the lash, and limits to the powers of Regimental Courts-Martial, it will be necessary to strengthen the hands of Commanding Officers by legalizing and providing the means of inflicting minor punishments. Of these, it will be found, both for the European and Native Army, that the most fitting is imprisonment with hard labour, and imprisonment and



solitary confinement; the former for Europeans only, and the latter for natives. Imprisonment with hard labour will, in the opinion of the Committee, be found a most salutary punishment for Europeans, particularly if the tread-mill is the instrument of labour, for the disgrace and irony it produces has a most powerful influence over the minds of men who dread the taunts and ridicule of their comrades far more than even corporal punishment: and the Committee cannot conceive that the climate is altogether a bar to this wholesome discipline, but only requires that it be inflicted at proper times of the morning or evening, without exposing the prisoner to the heat of the sun. Solitary confinement is alike applicable to Europeans and Natives, with this exception—that the native should not be subject to any stoppage of pay, but be dieted by his family, under prescribed rules for low diet with which he is to be punished, and served under superintendence and regulation.

It has, for some years past, been matter of serious consideration in this Army, whether it might not be practicable in a great measure to supersede the necessity of inflicting corporal punishment, by the introduction of some other less objectionable means of coercion. In this view, a circular was some time since addressed to Commanding Officers of regiments, requesting their opinion relative to solitary confinement as a punishment awardable by sentence of Courts-Martial.

The result has been the strongest recommendation in favour of its adoption, as calculated greatly to benefit the service by almost entirely superseding the use of the lash, which latter disgraceful punishment would then be confined to offenders, who would, after its infliction, be discharged from the service.

Of sixty-six Commanding Officers of native corps, fifty-five advocated the proposed system, which they consider calculated to be most beneficial to the native Army, and many expressed a conviction that it would greatly raise the character and estimation of the service amongst the natives generally. Only eleven Commanding Officers objected to it, and these upon very insufficient and inapplicable grounds.

It has, in fact, been already tried in some regiments, the Commanding Officers of which were accustomed to sanction its award by Courts-Martial, until prohibited from Head-Quarters on legal grounds of objection, and it is also even now in force to a limited extent, the standing orders of the Cavalry and Native Infantry authorizing its infliction for a period not exceeding seven days. In both cases the result has been the



same, the trial has proved it to be a most admirable means of punishment.

It seems, indeed, still more advisable that it should be sanctioned as a military punishment, in consequence of the civil authorities having been already empowered to award it.—*Vide* Regulation XIII. A. D. 1832, section 4. Military offenders are occasionally tried by Military Courts for offences under the Civil Regulations, and, in such cases, the Courts are authorized to award solitary confinement, while the same Courts, trying the same men, under the Articles of War, could not make such award, though very desirous of doing so, feeling it to be of a very beneficial tendency.

The Committee, therefore, strongly urge the publication of a Government Regulation, authorizing Military Courts to award solitary confinement in all cases wherein corporal punishment is now applicable; General Courts-Martial for a period not exceeding ninety days, and all minor Courts for a period not exceeding thirty days. The necessary subsidiary arrangements could be ordered to be made by the Commander-in-Chief.

The Committee are persuaded the results would be in the highest degree advantageous to the Native Army. \*

\*The Committee further beg to offer its opinion, that the Native Armies of the three Presidencies should be governed by one code of military laws, and that those now in use may be approximated more to the King's Articles of War, by providing for the trial of offences by different descriptions of Courts, and increasing the penalties now sanctioned by law or usage for both capital and minor offences. General Courts-Martial may be much limited by establishing District or Garrison Courts-Martial, with a limited number of members, and, indeed, solely confined to the trial of capital crimes, affecting the life or limb of the prisoner.

That District or Garrison Courts should award any punishment not affecting the life or limb of the prisoner; and if the penalties of loss of grades in rank to native officers and the loss of service, pension, and other claims or immunities to native officers, non-commissioned officers, and privates, be enacted as legal punishments, it will materially tend to lessen the necessity for corporal punishment and the infliction of the lash, even by superior Courts-Martial, while the Regimental Court-Martial will be restricted as to crime, and limited in the quantum and degrees of punishment; but the Committee decidedly recommend that, in the Native Army, the infliction of the lash be invariably followed by a discharge from the service. This will



preserve the pride of the man, and, perhaps, do more to supersede the necessity of the lash than any other means that can be adopted, for discharge is in itself so great a punishment, that the knowledge of its being added to the lash by *regulation*, for it is now the *practice*, will operate most distinctly to deter from the commission of crimes rendering the individuals amenable to so heavy a penalty.

(Extract)

Proceedings of a Committee assembled by order of Major General Sir James Steyenson Barns, K.C.B., Commander of the Forces, under instructions from the Right Honorable the Governor in Council, in compliance with directions from the Right Honorable the Governor General.

*Bombay, 28th April, 1834.*

*President*—The Acting Adjt-General of the Army.

*Members*—Lient.-Col. E. M. Wood, Bombay European Regt. Major W. D. Robertson, 8th Regt. N. I.—The Quartermaster-General of the Army—Major P. D. Ottey, 11th regt. N. I.

The Committee, having met pursuant to order, proceed to deliberate on the first proposition, viz.—

“Whether or not corporal punishment could with propriety be entirely abolished in the Bombay Native Army, with due reference to its discipline and general efficiency.”

The Committee are of opinion that corporal punishment cannot *entirely* be abolished in the Native Army under the Bombay presidency with due regard to its discipline and efficiency.

The infliction of corporal punishment, (not involving expulsion by infamy) might be restricted to the sentences of General Courts-Martial in garrison and detachment Courts-Martial in the field for the crimes of desertion, mutiny, insubordination attended with violence to non-commissioned officers, marauding, &c. in cases where the higher penal awards of the Mutiny Act were deemed too severe.

It is in the recollection of the President and several members of the Committee, where a highly excited spirit of insubordination which manifested itself in a picket of considerable strength, was immediately checked by the general officer commanding the field force on the spot trying every tenth man, and carrying the award into instant execution.

All offences involving expulsion, and competent by Regimental Courts-Martial, such as thieving, gambling, &c., should still continue to be punished by flogging, as it is highly necessary to inflict a disgraceful punishment for these crimes, in addition to drumming out.



The Committee beg leave to recommend the substitution, to a certain extent, of solitary imprisonment on restricted diet, in lieu of corporal punishment, to be introduced into the Native Army of this Presidency. They deem it advisable, in case of this suggestion being acted upon, to recommend that the highest award of solitary imprisonment to the soldier, by General Court-Martial, shall not exceed three months, or ninety days, and that Regimental Courts-Martial be restricted from sentencing for a longer period than three weeks, or twenty-one days, as they conceive the native constitution would be liable to sink under protracted confinement and low diet.

European soldiers, when sentenced to imprisonment, are deprived of their pay during the period they are confined; it will be advisable to establish a similar rule in the Native Army, allowing the sum of 33 reas *per diem* for subsistence. The balance of pay might be formed into a fund to provide cell clothing.

As solitary imprisonment is admitted to be detrimental to the native constitution, it is advisable to extend the code of punishment in aid, in combination, and, as occasion or circumstance might render expedient, (for instance, when on field service,) in lieu thereof. The Committee, therefore, suggest the adoption of mulct of pay as an authorized punishment by sentence of Courts-Martial, not exceeding half the sepoy's in any one month, nor for any longer period than twelve months in any one sentence.

And further, as in some cases in his Majesty's service, a prospective reference is made to the pension of delinquents, Courts-Martial might be authorized in adding weight to sentences for higher crimes, to strike off periods of service not less than one year or more than five in any one sentence, or to deprive a man of his claim to pension, or of any portion of it, which being confirmed by competent authority, it should not be within the power of any person, inferior to the general officer commanding the forces for the time being, to remit this sentence, nor until after at least seven years of exemplary conduct, or highly conspicuous behaviour in the field, on proper representation of the case by the officer commanding the regiment or detachment.

P. FEARON, Acting Adjutant-General and President.—E. M.

WOOD, Lieutenant-Colonel.—W. D. ROBERTSON, Major.—

A. MORSE, Lieutenant-Colonel, Quartermaster General of the Army.—P. D. OTTEY, Major.



## ON THE ABOLITION OF BURNING AND EXPOSING THE DEAD IN INDIA.

"The place of my fathers' sepulchres."—*Nehemiah*.

*To the Editor of Alexander's East India Magazine.*—SIR,  
—Recent intelligence from India states "The King of Bokhara has prohibited his Hindoo subjects from burning their dead. The order has been quietly submitted to." A correspondent at Chunar, referring to the mortality among the Natives, adds "that the river is studded with dead bodies floating past." He suggests,—"that Government should prevent the Natives from throwing in half-burnt bodies, and compel them to bury or reduce their dead to ashes; or, where poverty would prevent the people from incurring the expense, he would compel them to sink the bodies in the stream with weights. The suggestion deserves attention, as it may be easily effected, without expense, and without interfering with Native prejudices." The perusal of these lines has awakened in the writer an earnest desire that some measure could be adopted in Bengal, Orissa, and India generally, to bring into disuse the practice of burning and exposing the dead. The propriety of mooted this subject, and calling public attention to it, both in Britain and in India, it is presumed, will appear by the following observations:—

The nature of the practice, and its effects upon the sympathies of society, are very affecting and appalling. Could any custom (except cannibalism) be more adapted to brutalize mankind? The late Rev. W. Ward observes, "the practice of burning the dead tends very much to blunt the feelings of the living; and the method of doing it, presents a striking contrast to the respect and tender feelings cherished in burying the dead among Christians. In the Hindoo funerals, *no children or relations are seen weeping over the pile*; the only persons present, are two or three men, with bamboos in their hands, to keep the limbs and bones on the fire, and to facilitate their destruction. Even the ashes are washed away, or thrown into the Ganges, not leaving a vestige that can remind the living of their deceased friends! The place where the dead are burnt, is not a grove of cypress, adorned with monuments, but the common receptacle of whatever offends the sight." The process of con cremation is thus described,—"Immediately after the person is dead, and, in many cases, before this takes place, preparations are made to burn the body, and I have seen the wood lying by the side of the sick person, while he was living! The person being dead, his son takes up



water in a new pot, and, while the priest reads prayers, puts linseed and toolsee leaves into the water, and after anointing the body with clarified butter, pours it on his father's head, as a kind of ablution. This is accompanied by a prayer to the different holy rivers, that they may come into this pan of water, and that the deceased may have the merit of having bathed in them all. Then, the son throwing away the old clothes, puts new ones on the corpse, one of which is folded and placed on the body as a poita. One of the relations now digs a hole in the earth, over which the wood is laid; about 300 lbs. of wood is sufficient to consume a single body. The rich throw sandalwood, on account of its fragrance, among the other wood on the pile; and a poor man endeavours to procure a little clarified butter. Indian pitch is also poured upon the wood, upon which a new piece of cloth is spread, and in this cloth the body is wrapped and placed on the pile, with the face downwards, if a man, and the reverse if a woman! the head being laid towards the north, and the legs placed under the thighs. A trifle of gold or copper is brought in contact with the mouth, nostrils, eyes, and ears. After this, boiled rice, plaintains, clarified butter, sugar, honey, sour curds, seeds of the toolsee, &c., are offered in a bala to the deceased, repeating his name and family. The heir at law then lights some straw, walks round the pile three times, with face averted, and touches the mouth of the deceased with the fire; after which those present set fire to the pile all round. At this time the heir presents a prayer to the regent of fire, that, whether the deceased committed sin or practised religion, he would, by his energy, consume with the body all its sins, and bestow on the deceased final happiness!

"The fire burns about two hours, and the smell is extremely offensive when no pitch is used. Three or four relations generally perform this last office for the dead. When the body is partly burnt it may so happen that some boney parts have unavoidably fallen on the side. These, together with the skull, are carefully beaten to pieces and consumed! yet, it is said, that the part about the navel, for two or three inches, is never consumed, but is always to be found after the rest of the body is burnt. This is taken up, rubbed in the mud, and thrown as far as possible into the river. The Hindoo who related these facts, assured the author, that when he assisted to burn the body of his father! this was actually the case. He added without the least apparent concern, that the burning made a noise like the frying



of fat; and that when he beat his father's skull to pieces, (*prohdolor!*) to be reduced to ashes with the other bones, it contained a very large quantity of melted fat! At the close, the heir, taking seven sticks, a span long, in his hand, walks round the pile seven times, throwing one of the sticks on the fire at each circumambulation, and then beats the fire with the hatchet seven times. Water is now brought, the whole place washed, and a gutter cut in the ground, that the water from the funeral pile and the Ganges may unite. They then fill a pot with water, cover it with an earthen plate, and put upon it eight cowries. They afterwards, with the handle of the spade, break the pot, spill the water, and crying, '*hurree bol,*' depart. The persons who have burned the dead become unclean, and cannot return to their houses till they have bathed.

"Many of the poor merely burn the body, without any ceremony. Those who cannot afford to buy wood, perfumes, &c., throw the body into the river, or fasten it in the earth with a stake and a cord, by the side of the river, or tie a pan, filled with water, to the body, and sink it. The practice of throwing dead bodies into the river, is, in many places, a dreadful nuisance; as, in case a body should float to the side of the river, and remain there, it will continue to infect the neighbourhood till the vultures, dogs, jackals, and other animals have devoured it! The throwing of dead bodies, and other filth, into the river, makes the Ganges, in the neighbourhood of large towns, resemble a common-sewer. Still, however, the Natives drink it with the greatest appetite, bathe in it every-day, to cleanse both their bodies and souls, and carry it to an immense distance as the greatest imaginable treasure.—*Ward's View, Vol. III, pp. 272-4, 284.*

The Editor of a Calcutta paper, when the writer was in India, justly remarked, in reference to the practice under animadversion,—It redounds little to the credit of the Magistrates, or to their subordinates, that the Ghauts present spectacles disgusting to every feeling mind. It not unfrequently happens that *twenty dead bodies*, and as many *living ones*, are brought to one Ghaut to be burnt.\* This Ghaut will admit of

\* The Bishop of Calcutta, in a letter to the writer, dated April, 1834, says,—  
"The Ghaut murders have induced a Hindoo gentleman to build a Hospital on the banks of the river, for receiving the sick. *Nineteen hundred* were said to have been exposed in the month of November last, at one Ghaut alone, in Calcutta, of whom possibly one half might otherwise have survived, at least for a time." Where, where, are British humanity and magnanimity? Why are not Coroners' inquests instituted, to make "inquisition for blood?"



four, or five only being consumed at one time. The rest are of necessity suffered to putrify, until an opportunity is afforded their relations to burn them; while the groans of the dying, who are lying close by, are calculated at once to excite pity and horror.\* Sometimes, also, the relations are so poor, that they cannot procure money sufficient to burn the body, in which case, they leave it at the Ghaut, and beg for the necessary pittance to purchase the wood; and two days, probably, elapse, before any charitable individuals are found to aid them! But why confine these murders to the Ghauts only? Turn towards the City; there we shall behold circumstances which excite our pity and our indignation. Several bodies of poor men are seen lying in the streets. A poor man, who was struck by the sun, fell down in the Circular Road, and expired. His body was suffered to lie a whole day, while the effigies of Mussan and Hussein were exhibited by the Mussulmans; and the body must have been trampled on by the crowd which generally assemble on such occasions."

The propriety and facility of the British Government in India, adopting some measures to abolish these barbarous customs, appear evident. The editor of the *India Gazette*, at the period above referred to, very humanely and judiciously remarked, "We are led to understand, that the sickness among the Natives has somewhat abated. Dead bodies, in rather considerable numbers may be seen afloat, and in Tolly's nullah, we have seen several. It is quite horrible, close to a city like Calcutta, to see human carcases floating about, or lying at length on the bank, a prey to dogs or carrion birds. The sight is degrading and brutalizing! It is no less so to see the *Dooms carrying their dead in a state next to nudity, slung on bamboos, and thus casting them into the river*, making a nuisance of the stream. It would be a most desirable thing, if such a scandalous mode of disposing of the dead could be obviated; for scandalous such spectacles certainly are to the eyes of Christians, in a city subject to Christian laws and government. The expense could not be very great of providing a stock of mango coffins, in different quarters of the town, to be available for the purpose of the Dooms, who ought also to be made to attach weights to

\* The funerals of the Hindoos," says the late Rev. W. Ward, "contribute to render them unfeeling. The wood which is to burn the body is sometimes brought and laid in the presence of the dying man, who is thus treated like an English criminal, when his coffin is carried with him to the place of execution." It has been justly remarked,—“As far as cruelty (cruelty of any kind) is tolerated in a State, its pretensions to civilization may be questioned, and its views must be considered proportionably contracted.”



the dead bodies they cast into the river.\* This would not prevent their being carried to the ocean, though it would keep them from floating on the surface of the water ; perhaps if the matter were properly represented to Government, such a suggestion would meet consideration."

The Mahomedans invariably bury their dead; and some Hindoo castes, particularly the weavers, do the same. The writer recollects landing at a Ghaut in Calcutta, a few days after his arrival in India, and being much affected with seeing a human body lying to be burnt, or thrown into the river. The exposure of the dead in the vicinity of villages and towns is very disgusting and brutalizing. At the temple of Juggernaut some regulations exist relative to the interment of the dead, and the general adoption of such a measure respecting the deceased pilgrims, the poor and friendless, &c., would raise the tone of social feeling in India. The language of Abraham, on the death of his wife, appears consonant with the natural dictates of humanity,—“ Abraham stood up before his dead, and spake unto the sons of Heth, saying, I am a stranger and a sojourner with you; give me possession of a burying place with you, that I may bury my dead out of my sight.”—Gen. xxii. 3, 4. How honorable to humanity and patriotism was the language of Nehemiah before the Persian King,—“ Why should not my countenance be sad, when the city, the place of my father’s sepulchres, lieth waste, and the gates thereof are burned with fire?” Surely the abolition of Suttees, the partial disuse of the Churuck Poojah, the decrease of the miseries and mortality of pilgrimages, the efforts of Christian benevolence on behalf of the sick, and the discontinuance of the exposure and burning of the dead, &c. &c. would greatly prepare the way for the reception of that Gospel, which is love, and which inculcates love in all the relations of life. Perhaps this article may find its way into some of the various periodicals and newspapers of India; if so, it may be honored to touch a cord in some benevolent, generous, enterprising breast, that may prosecute the object of the writer with great success. What British, what humane heart, but must bleed for the circumstances in which the Hindoo lives and dies? May the happy time speedily arrive, when all the barbarous practices of heathenism shall give place to the mild and benevolent institutions and spirit of Christianity. O, happiest of days, when the song of heaven and earth shall be, “ *Death is swallowed up in victory!* ”

PHILANTHROPOS.



## THE SWAN RIVER,

BY MAJOR IRWIN.

Swan River district is situated in about 32° south latitude, and 116° east longitude. It resembles in temperature (to speak from the author's recollections of his residence in those countries) the south of Italy, parts of Spain and Portugal, and the Cape of Good Hope.

In point of salubrity, Western Australia is equal to any country. That part near the coast generally presents either an open forest, plains covered with short brushwood mixed with grass or open downs. Numerous lakes, fresh and salt, extend along the coast, as do also hills and ridges of recent calcareous formation. A peculiar feature of this coast is a succession of estuaries, each a receptacle of rivers, and connected with the sea by a narrow mouth.

A great variety of flowering shrubs cover the country in many parts, and, occasionally, lofty trees with wide spreading branches embellish its surface. But, however it may please the lover of nature, the aspect of the coast districts is not generally inviting to the farmer, the soil being of a light sandy character, and mostly unfit for agriculture. That in the vicinity of the rivers and lakes, however, is of a different description, being alluvial, and generally covered, in a state of nature, with rich pasture. When under cultivation, it bears heavy crops of wheat and other grain. The higher ranges of hills are of primitive formation, occasionally showing the bare granite rock. On these hills, and between the ranges, where the country is from 500 to 1000 feet above the sea level, the soil is mostly of the red marl formation, and generally good, bearing fine forests of Native mahogany and other timber. There is feed for sheep on the hills next the coast district, and rich pasture of wild vetch and other herbage for cattle in the ravines. Some land between the ranges seems, but for the lofty timber it bears, wholly sterile; so forbidding is its aspect, from the iron-stone with which it abounds, that it resembles the districts of Sicily, that were overspread with cinders from Mount Etna.

The banks of the rivers, especially of the Swan, present scenery much admired by all who have visited the country. In some parts both borders exhibit extensive meadows, ornamented with trees and flowering shrubs. Elsewhere, high precipitous banks look down on grassy plains on the opposite side. These banks are enamelled with a profusion of the amaranthine tribe



of plants (the everlasting flower), and crowned with noble mahogany and other lofty trees.

The most valuable tracts of land are in the interior, to the east of the Darling Range of mountains; and similar tracts approach to within twenty-five miles of the coast, in the south-east parts of the colony, between Cape Leewin and King George's Sound. The best land is not confined to the vicinity of lakes, rivers, or hills, as is mostly the case on the west side of the mountains, where the principal body of the settlers are at present located.

The only district occupied beyond the Darling Range is called York, and is from fifty to sixty miles from the sea coast. The same name has been given to the projected chief town, the site of which is laid out on the river Avon. This river, flowing from the south, has a north-westerly direction in passing York, and has been lately found to wind through one of the vallies of the Darling Range, and to be identical with the Swan. The Avon varies greatly in width. In some parts, where there are fine reaches of one or two miles in length, it is sixty and seventy paces broad, with high banks. Like the Swan and some other rivers on the coast, it is, in the dry season and towards its source, but a chain of pools, until filled with the winter torrents.

The climate of York is reckoned cooler than that of the Swan. There have been established in this district, for the space of several years, arable and grazing farms; and the proprietors find the country well suited for both, although the crops raised there are not equal in quantity to the produce of the rich alluvial plains of the Swan, Canning, and other rivers in the coast districts.

The fine condition of the herds shows the pasture to be good. Indeed, so very nutritious is the herbage, that the farmer gives no other food than the hay of that country to a team of English horses, in excellent condition, although employed in drawing heavy loads across the Darling Range.

But the interior of Western Australia is particularly valuable for its sheep pastures. These are extensive tracts of undulating surface, covered with a short sweet grass, and are found to be admirably suited for Merino flocks. Those of Messrs. Bland and Trimmer, which have been there some years, fully justify this assertion, from their rapid increase and healthy condition. Sheep are there exempt from a disease (supposed to originate from feeding in marshy pastures) from which several flocks to the west of the range have suffered severely. In a report printed



in the Colonial Gazette of August last, we find Dr. Harris, a physician who is settled on the Swan, and has ably written on the disease alluded to, thus addresses the Agricultural Society of the Colony:—"No country in the world can boast of grounds more favorable for sheep than the district of this Colony (only about fifty miles from the coast) where some flocks have been for some time established with such success, as to dispel every doubt, and cheer the prospects of the settlers at large."

The scenery of the interior districts is in many parts beautiful—the undulations of hill and dale, ornamented with clumps of trees and shrubs, present a rich and cheerful aspect. Alternating with the fertile districts, are to be found extensive tracts of inferior land. They are either clayey soil, on which the water lodges in winter, or sandy, or soils impregnated with salt. These lands afford little herbage, and generally bear forest trees thinly distributed over the surface. The banks of the salt pools are mostly covered with samphire.

As vegetation in Western Australia continues throughout the year, a succession of crops of potatoes and other vegetables may always be had wherever irrigation can be secured.

The following vegetables grow in the open air (if only common pains be taken) namely, tomatoes, bumpkins, gourds, vegetable marrow, chillies, egg-plants; also every English vegetable, and the following fruits,—melons, bananas, almonds, figs, grapes, peaches, strawberries, and Cape gooseberries, all of which have come to perfection. The olive, pomegranate, apricot, plum, mango, lemon and orange; the mulberry, apple, nectarine, pear, and various other trees, have not yet had time to bear fruit, but are growing well. Fig-cuttings produce fruit the first year, and vines frequently do so the second year. Oaks, and other timber trees from England, are likewise thriving.

Mr. Drummond, the Government botanist—says, in a report on its progress,—“The vines planted in May, 1831, have made shoots, in what is past of this season, sixteen feet long, and the strongest and finest wood I have ever seen; the olives brought out by Captain Mangles, R. N., have been laid, and produced 150 plants; all the other plants in the garden thrive as well as the best friends of the Colony can wish.”

The same gentleman has expressed his opinion, as the result of his experience, that the climate of the Swan River is peculiarly adapted for the growth of the vine, the olive, and the silk mulberry.

The forests afford abundance of timber suitable for house and



ship building, cart-wright's work, and cabinet-making. The mahogany of the country is in great plenty. With this wood principally, the *Success* frigate was repaired, in Cockburn Sound; and when she was afterwards overhauled at Portsmouth the officers of the dock-yard found this timber answering so well, and in such perfect preservation, that on their report, the Lords of the Admiralty instructed Sir James Stirling to send a quantity of it to England, at a price exceeding, by more than 50 per cent., that allowed for African oak; specimens of it (taken out of the *Success*, when she was overhauled on the above occasion) are preserved in the model room of the Surveyor General of the Navy, at Somerset House.

The blue gum tree (which, in the south-east parts of the Colony, grows to a gigantic height) has been estimated by an eminent ship-builder in England, to be equal, if not superior, to teak, for ship-building.

The opinion of the Colonists themselves respecting the quality of the soil, as expressed in one of their addresses to the Governor on his return to Swan River in August last, is thus reported in the *Colonial Gazette*,—"The experience of the interval between your departure and return has been of the greatest utility in establishing from facts (without the necessity of resorting any further to theories) the fertility of a large portion of the soil of this Colony, when under proper cultivation; and the peculiar adaptation of the great mass of land beyond the Darling Range, in soil, herbage, and climate, to the pasturage and rearing of sheep."

#### ABOLITION OF SLAVERY IN ASSAM.

We need not trace the history of slavery in the Province of Assam, in order to introduce the reader to the appended document for ameliorating the condition of the Natives. A more important article than that advocating the extinction of slavery in the Province named, could not well occupy the pages of the "*East India Magazine*," which, as repeated instances have shewn, is ever on the alert to protect the interests of the great nation, the cause of whose people it has now advocated for many years, and always with unmitigated zeal and good feeling:—

"The proportion of slaves and bondmen to the free population of Assam, is by no means so great as might have been



expected in so ancient a country. We have not at hand any classification of the entire population of the province on which we can depend; but of that of the district of Durung, we have a memorandum, which we have no reason to think shews a peculiar deviation from the general ratio of the Province. According to the last returns, the entire population of Durung is 89,519; and it is thus composed:—

Free Persons	-	-	-	-	-	-	-	-	86,041
Slaves	-	-	-	-	-	-	-	-	2,301
Bondmen*	-	-	-	-	-	-	-	-	1,177
									<hr/> 89,519

The entire population of the three districts of Kamroop, Durung, and Nowgong, comprising the whole of Central Assam, is estimated at 422,836; and if the same proportion prevails elsewhere, as in Durung, the entire number of slaves in Central Assam will be about 11,300, and of bondmen, 5,784. This moderate proportion of the slave and bond population, is to be attributed chiefly, we should imagine, to the complete disruption of the kingdom by the Burmese invasions, and by intestine feuds, before the country came under British rule. Assam, during that miserable period, was devastated in every way, and its population, both rich and poor, scattered in all directions. It may now be considered as a new country. Its people have to arise anew, almost from nothing; and full scope is afforded for modelling their institutions, and advancing their interests with little reference to the barbarous precedents of the past.

In Assam, the difference between the free and the slave population is comparatively small; to outward appearance, indeed, scarcely any difference exists. The general population are so poor, so ignorant, so vicious, so destitute of any principle of independence and manliness of character, that slavery can scarcely sink those who are held by it lower than the rest of the people. On the other hand, the Assamese slave-holders see no such wide distinction between their slaves and the general population, as tempts them to use peculiar severity or contemptuousness in their treatment of them. Complaints of

\* Numbers of persons who had fallen into debt, who required particular sums of money which they had no other means of raising, surrendered themselves to ~~others~~ who could furnish the money they wanted, to serve them in every respect as slaves, until they had it in their power to redeem themselves, by re-paying the amount they had received from their masters.



slaves against their masters, are extremely rare in the Courts; although a ready sympathy for the slave is sure to be found there, seeing the Indian Magistrates are neither slave-owners themselves, nor the friends and companions of those who are. Yet the power of a slave-master is too much, never to be abused, even in the most favourable circumstances; and cases of intolerable hardship have been witnessed in Assam, as well as elsewhere.

We learn, that Government has already advanced a step towards the extinction of slavery in Assam. The draft of a Regulation has been for some time in circulation amongst the public authorities, one section of which we transfer to our pages. It deserves a most attentive perusal, as a well-digested and minutely-prepared production.

*Clause 1st.*—A proclamation shall be issued, calling upon all persons having claims upon others, as being their slaves or bondmen, to register the names of such alleged slaves or bondmen, in the Office of the Assistant, in charge of the Division in which they live, within the period of six months, under the penalty of forfeiture of all claims on those whose names they shall omit to register as required.

*Clause 2d.*—Those only shall be held to be absolute slaves, whose own servitude, or that of their progenitors, can be proved to have originated prior to the day of ———, 1817, which is understood to be the date of the Burmese invasion of Assam, but the sale or alienation of such slaves, excepting with their own concurrence, by their actual masters to any other person, is declared to be illegal and invalid.

*Clause 3d.*—All slaves whose own servitude, or that of their progenitors, has commenced subsequently to the first Burmese invasion, as above defined, shall be accounted redeemable bondsmen, entitled to obtain their enfranchisement under the conditions and in the manner hereinafter indicated.

*Clause 4th.*—The offspring of slaves, or bondsmen of every class, born after the date of the proclamation, enjoined in *Clause 1st*, are to become free on attaining the age of eighteen years.

*Clause 5th.*—Any slave-owner who shall be proved, before a competent authority, to have maimed, wounded, or otherwise grossly ill-treated his or her slave or bondsman, or to have sent or attempted to send, such slaves or bondsmen out of the Province, shall be declared to have forfeited all



dominion over such slave or bondsman, who shall be thereon liberated.

*Clause 6th.*—Any slave-owner convicted of having derived profit by letting out a female slave for the purpose of prostitution, shall, in like manner, forfeit all claim over such slave, who is thereon to be declared free.

*Clause 7th.*—The sale of children by their parents is not prohibited, but it is to be understood that children thus sold, are, on attaining the age of eighteen years, to become free.

*Clause 8th.*—The legitimate offspring of a free man are to be held free from their birth, whatever may have been the condition of the mother, and no claim against any married females, as a slave, is to be admitted, if it be not preferred at the time of the marriage, or as soon after as circumstances would permit.

*Clause 9th.*—The direct sale of slaves in satisfaction of decrees of Court, is prohibited, but slaves or bondsmen may be transferred, with their own concurrence, to a plaintiff who may have obtained a decree against their master or owner, at a price to be settled between the said plaintiff and the owner, but all slaves or bondsmen so transferred, are to be enfranchised on the liquidation, by the estimated value of their labour, of the sum at which they were appraised, or, in the event of that sum not being covered by their labour, up to the expiration of the term of seven years.

*Clause 10th.*—The slaves or bondsmen of a defaulter may, in like manner, be taken with the sanction of the Commissioner, in satisfaction of the demands of Government for the public revenue, and are to be entitled to their liberation of the sum, at which they were valued, being covered by the estimated price of their labour, or at the expiration of the term of seven years. Slaves or bondsmen, so taken, are to be employed on the Government khats or farms.

*Clause 11th.*—All engagements executed by a man or woman, whose age shall exceed eighteen years, binding himself or herself, to serve another, for a term not exceeding seven years, shall have full force and effect, and be maintained by the local authorities, but any contract to serve for a longer term of years is, hereby, declared to be null and void.

*Clause 12th.*—Any bondsman or slave entitled, under Clause 3d, to be regarded as a redeemable bondsman, wishing to obtain his or her liberty, may institute a suit for the sum against his or her master, in the Court of the Assistant in charge of the



Division in which the said master shall reside, and the Court before which such suit may be tried shall, after determining the price of the plaintiff's labour, and deducting therefrom what may be esteemed a fair equivalent for maintenance, carry the balance to the credit of the plaintiff. Whenever, in the case of a slave of the class described in Clause 3d, the sum, thus credited, shall appear to constitute a fair return for expence incurred in the support and maintenance of such slave, or whenever a plaintiff in such a suit shall pay up whatever may, in the judgment of the Court, be wanting to make up an adequate compensation to the master, then, such slave shall be decreed by the Court to be free. In like manner, if a bondsman be the plaintiff, and the estimated value of his labour, after a proper deduction for maintenance, shall be found to equal the amount of the debt due to the defendant, or if he shall pay up whatever may be wanting to effect the extinction of the debt, then such plaintiff shall be decreed by the Court to be free.

*Clause 13th.*—To prevent protracted investigations, as well as to protect masters from vindictive persecutions, it is enacted that no master shall be required to account for any sum that may be carried to the credit of a plaintiff, under the provisions of the preceding Clause, in excess of the amount to which the said master shall, in the judgment of the Court, be held to be entitled; and that no suit shall be entertained that may be instituted by a liberated slave or bondsman, for an amount alleged to be due to him on account of labour performed during the term of his servitude or bondage.

*Clause 14th.*—It shall be essential to the validity of every transaction by which a slave or bondsman may be acquired or transferred, that the same be effected by a written instrument, and no such written instrument shall be received in evidence in any Court of Justice, unless it has, within one month of the date of its execution, been duly registered in the Office of the Assistant in charge of the Division in which the party, to whom the transfer, or sale, or engagement is made, may reside.

*Clause 15th.*—Any sale, transfer, or engagement, of a slave or bondsman, not so registered, is to be, in future, held to be null and void.

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### • SKETCHES FROM HIGH LIFE.\*

We have received a copy of a very intelligent book, being a chronicle of amusing incidents which have been set down in the course of a twenty years' retirement of a military man. The author is evidently not so much a man of the world, as a strong-thinking, well-read, and exceedingly good-humoured country gentleman. His observations, indeed, through two bulky volumes, are confined to descriptions of a country life, with a little travel in England and France. These volumes, however, evidence considerable literary inexperience, inasmuch as an abundance of stale anecdotes and Joe-Millerisms prove: the which are crammed into every chapter with the most *naïve* ignorance; as if the writer had thought them new to the world. The light common-place foibles of society are touched upon in a way hardly ruffling their surface; still, there is occasionally a well-turned thought or an amusing illustration stumbled over probably unpremeditatingly, but for this, not the less worthy of our allusion. We perceive that Mr. Blakiston is a staunch admirer of Miss Mitford's style of composition, for he makes sundry strenuous attempts at imitating her. We are ready to bear testimony to the talent of his pen in military matters: as, however, this work is principally devoted to the portrayal of every-day life, and is clever in its delineations of the foibles common to fashionable and *pseudo* fashionable society, we shall content ourselves with an extract or two, in which the author will be found sufficiently amusing by the light or general reader.

### • MARRYING INTO A GOOD FAMILY.

Mr. Jacob Hinks Junks had a country residence in our neighbourhood. His original name was Hinks. He had been brought up an apprentice in a linen-draper's shop; and at the expiration of his time was on the point of being ejected as a stupid fellow, who had no air about him, when, fortunately, or unfortunately for him, a maternal uncle, who had made a fortune by trade, died, and left him a good property, saddled with the name of Junks. But this rider to the legacy, however disagreeable it might have been to persons of family pride, was nothing to him. Junks was as good as Hinks, and he had got the rhino. Though not a bad fellow at bottom, Hinks, or rather Junks, became, it must be confessed, a little spoiled by prosperity, as greater minds than his have been; and if he did not actually cut his old acquaintance of the shop, he looked rather shy at them, or would walk across the street when he saw them coming his way. He had not then learnt the more fashionable plan of dimming the eye or looking on vacancy, now very generally practised by the great, when they meet any old friend, whom under present circumstances, it is not convenient to recognise. It is infinitely superior to the cut direct, the cool reception, or the walk across the street; for,

\* "Twenty Years in Retirement," by J. Blakiston, Author of "Twelve Years Military Adventure." 2 Vols., 8vo.—Whittaker and Co. 1836.



in a country like this, where good things are to be got, and where there are such things as constituents, who may have the means of putting one in a situation to get those good things, it would never do to place it out of one's power to shake a vulgar acquaintance by the hand at some future time, when his friendship may be of use.

As soon as all matters regarding the will were settled, Junk's must go down to a fashionable watering place. To stay in London would never do; he would meet too many of his old companions. Besides a watering-place is the only spot where one can mix with persons of rank. There you may jostle and stare at a lord as much as you like: but in London, they are not to be come at, for there is little to distinguish a duke from a shop-boy; while in a watering-place they are sure to be known and pointed out.

Now it happened that, at the same watering place, one Mrs. Greville, the widow of a younger son of good family, with her four daughters, was making her last desperate effort in the matrimonial market. Each successive season, for some years past, had they gone from place to place, cutting a dash with a showy equipage, but starving at home. Each successive year had they lessened the sum for which she had mortgaged her jointure, till at last the funds were exhausted; and, if they failed on this occasion, they must take in needlework, washing, or starve. In such a predicament, as may be supposed, they were not over-nice. At first, of course, they aimed at high game; but, in proportion as their means of keeping up the war diminished, they were contented with a lower quarry.

The keen eye and well-organised intelligence of Mrs. Greville were not long in discovering our friend Junk's, and her ingenuity soon found the means of becoming acquainted with him. One evening as she and her daughters were perambulating the pier, she took the opportunity, just as he came near her, of being taken suddenly ill. His assistance, of course, was proffered; and he was despatched, with many apologies, to No. 12, Wellington-terrace, to order her carriage. An invitation to her residence followed, and a call the next day to inquire after the lady's health was the natural consequence. In short, the fortress of Junk's was regularly invested by the whole army of sisters, headed by their experienced mother; but it was not yet decided to which should be entrusted the particular duty of carrying the citadel. In fact, there was nothing in its external works, which rendered its capture particularly interesting—for Junk's was not the best-looking fellow in the world. It could not be an *affaire de cœur*; so it was resolved that each daughter should make a demonstration, or feint, as we should call it—or, as the French more properly express it, a *reconnaissance*. Lydia began with sentiment, but the ground was found too hard and rocky for approaches of that kind. Augusta tried the artillery of her fine eyes, but Junk's heart was bomb-proof. Next Bellam advanced up the glacis *à pas de charge* and planted her ladder; but Junk's was not to be taken by escalade. But Cecilia effected by stratagem what the others could not do by force: she found the sally-port unguarded, and entered through his ear. One bastion being thus in possession of the assailants, they were not long in bringing the governor to terms. Junk's was a shocking name; but they had all along felt confident that it might be changed to Greville, or, at least, that the latter syllable might be added,—Junksville would not sound so bad; but here the terms on which he had inherited his property undeceived them. Junk's was a bitter pill to swallow; but there was nothing left for it. They might hold their noses, but down it must go. Of settlement there was no difficulty. Every thing was done in favor of the lady.

Now behold the happy couple returned from a short tour in Wales, and regularly installed in a fashionable quarter of Brighton: Brighton is a nice distance from town, and it enables one to catch a few rays from the halo of royalty, warming and refreshing to loyal hearts. I think I said something about happy couple. There I was wrong; the daughter could not be parted from a beloved mamma and sisters; and Junk's had married the whole family. There is an old couplet which says,

“My son is my son till he gets him a wife;  
My daughter's my daughter to the end of her life.”

When a woman marries, she is pretty sure to have the husband to herself; and if his family are fools enough to live with her, it is two to one she sets them



by the ears. Not so the man; when he marries *into* a family, unless he take his wife out of the way, or be made of pretty tough materials, he may be almost sure that she will make common cause against him. In this case it was five to one against Junks.

Notwithstanding this fearful odds, he certainly did make fight at first. But every attempt at resistance on his part produced a swoon, hysterics, &c., followed by such a remonstrance on the part of the mother, on the probable consequences to her daughter, who was in an interesting situation, as compelled him to give in; and so it went on till Junks found himself a papa. It was the fashion, just at this period, for ladies to be mothers; or, at least, to pretend to be such. So Mrs. Junks actually gave to her child a portion of what nature intended for its support. Again mamma and sisters went on interfering—again Junks remonstrated with his wife—again hysterics—again Mrs. Grenville was in horrors at the effect which such scenes would produce on her daughter's health—it would injure the nourishment of the child, and the heir of the Junkses would be killed! That was hitting the nail on the head. Junks was compelled to yield; and, by the time he had been married eighteen months, he was not only hen-pecked, but under the dominion of the whole brood. Every thing was now directed in council by the mother and daughters; and he was merely called in, like the old parliaments of Paris, to register their decrees. He was particularly enjoined to cut all his old acquaintance, and not to presume to ask any one to the house until the name had passed the committee. As for the Junks family, they took care to make the house too hot for them. One day the poor man met an old school-fellow and crony, a clerk in some gas or water company. Junks's heart warmed, and he ventured for once to brave the authority of the conclave, and to ask him to dinner. With fear and trembling he announced the deed! "Asked him to dinner, Mr. Junks? impossible! Why the Mortimers dine here to-day—What's his name?"—"Dobbs."—"Dobbs!" all exclaimed in a breath, "impossible!—Put him off!"—"I can't!"—"You must!"—"I won't!"—"What is he? is he rich?"—"I can't tell!"—"He shan't come!"—"He must." For once Junks was firm.

At the hour of seven precisely, Dobbs made his appearance, dressed in the height of the fashion; but was left for half an hour to admire his carroty locks, curled for the occasion, in the pier-glass, as well as to wonder at the elegantly furnished drawing room, belonging to his friend. At length the master of the house,—no, I mean Junks—made his appearance and, soon afterwards, the ladies. Then, the Mortimers and some others, were announced. All eyed Dobbs—some rich fellow for one of the daughters it was supposed. At dinner, Dobbs was placed between two of the sisters, to keep him out of the way of the fashionable guests. But it did not long escape notice, that he ate fish with his knife, lapped up gravy with the same, and that he sent his knife and fork in search of a second helping of beef. All this passed off with a mere exchange of looks among the party; but, when he turned round to one of the footmen, and asked for "half a glass of *your* table-beer," a titter could hardly be suppressed. This disposition to merriment gradually increased, when he offered to help one of the company to some *grass to his fowl*; nor was it at all diminished by the invitation to one of the young ladies to take a glass of wine after her *sweets*. Still, however, politeness, prevented any expression of ridicule which could be noticed by Dobbs. But, when he requested the loan of a pin from his neighbour, and proceeded to pick his teeth with the same, the effort to restrain a general burst was almost too much for human nature; and the servants, whose notions of good-breeding were not so nice, were forced to turn away or quit the room. Poor Dobbs! he might have spoken rank blasphemy, and the company would have remained unmoved; but the simple act of picking his teeth with a pin, instead of a quill, produced unmingled contempt. Ah! what is man in *civilised* society? The slave or the victim of forms—the forms of fashion, the arbiters of which are the silly and the worthless. Had Dobbs robbed a man of his good name—had he slandered his neighbour's wife—had he left the sting of sarcasm rankling in the breast of an attending brother—had he done all this, and worse, he would have been innocent. But he had stuck a pin into his *own* teeth, and he was a monster!

I need not add how poor Junks was roasted after the guests had departed. But he, poor man! had married the whole of a genteel family!



The subjoined is very neatly hit off:—

#### A WATER PARTY.

Our town being situated near the sea, boating parties were often the order of the day. One of these very precarious amusements I shall proceed to describe. It was on the occasion of one of the Cowes regattas.

First, servants laden with cloaks and prog-baskets are seen bending their steps towards the quay. Next, gentlemen in short sailors' jackets, with ladies on one arm, and telescopes under the other, followed by misses and masters tripping gaily along, are hastening towards the same spot.

All the party being on board, the sail is hoisted, and the vessel makes its tortuous course down the river; then, with a flowing sheet, wind and tide being favourable, she rapidly approaches the roadstead of Cowes.

No beginning can be more propitious, all the landsmen and landswomen exclaim; to which the sly helmsman assents; with a shift of his quid, and a sly glance to windward, denoting some little mental reservation on the score of the return—nothing could be better timed. The party arrives off the Castle just as the yachts are about to start for the cup. At a signal-gun the competitors all moored in line, hoist their sails, and spread their broad bosoms to the breeze. Off they go, like moths skimming along the surface of the water, and, having wind and tide in their favour, are soon lost behind the point.

Let us now turn our eyes towards the gay scene around us. The bay, crowded with vessels of all sizes and shapes, decked in colours of all varieties, presents a most brilliant appearance. But this I have already described in a former part of this work.

Presently, the scene becomes more animated. Many of the yachts get under weigh, and stretch out into the offing to get a view of the match; and the crocodile-steamers, casting a long black pendant behind them, steer off in the same direction.

Let us now go ashore, and join the gay throng who line the beach, or perambulate the parade. In the centre of the latter, distinguished by a large Union Jack and various pendant streamers, is the yacht club-house; on the terrace of which are lounging parties, with telescopes in hand, and quizzing-glasses on eye, either spying the closer beauties on shore, or looking after their bets at a distance.

A rowing-match is now preparing for the entertainment of the in-shore people. Four smart wherries, with distinguishing flags in their bows, and manned by stout watermen with coloured caps, range themselves in line. At a signal given they start. The rowers, bending their broad backs to the time of the hobbing steersman, and rapidly plying their oars, shoot their sharp keels, like arrows, through the water. Twice they round the course. The match is well contested, and Blue gains the prize, amid the cheers of their triumphant friends.

The foremost yacht of the sailing match is now seen at a distance, just clearing the point, and all glasses are turned towards it. The distinguishing flag is that of the Lulworth. Huzza for the Lulworth! Next the Menai appears, known by her superior size. Then close follows the Louisa: but no one can positively tell which is the leading vessel. The Lulworth tacks first, but passes to leeward of the Menai. A shout for the Menai! The tide having turned in their favour, they are not long in coming abreast of the bay. Close-hauled, they seem to cleave both wind and wave. As they pass the vessels at anchor, each competitor is cheered by her respective friends. The race lies between the three headmost vessels.—The rest are so far astern as to have little chance, and some give up as they pass the roadstead. The Menai, steady as a first-rate, still maintains her superiority; when, suddenly, her main-haulyards give way, and down falls the bagging-sail over the vessel's side. Ah, poor Menai! The Lulworth now shoots a-head of her disabled competitor, and the Cowes people look sulky, for the Lulworth is no favourite with them. All glasses are pointed at the Menai, and all hands on board are seen busily engaged in repairing the damage. But while this is going on, the Louisa too has passed her. At last up go her haul-yards—again the sail is flat—and again she shoots into the wind. Now the vessels are lost sight of from the



bay; and various parties set off for the hills, to view the race to windward. But as the appetites of our party, who breakfasted early, rather exceed their interest in the match, we prefer returning on board to discuss the contents of the prog-baskets. Here, on the faith of smooth water, many a poor stomach is tempted to indulge; but I will not take away from the enjoyment of the present by any gloomy anticipations. The repast is delightful and highly relished, as most scrambles are; and each gentleman toasts, not his favourite lady, but his favourite vessel. All are in high spirits; the ladies in particular, who, on such occasions, are allowed somewhat to exceed their usual *quantum* of wine; and, in the general bustle, mammas cannot have their eyes about them. Were I to recount all the good things that were eaten, and all the good things that were said, I should be carried beyond my limits. Suffice it to say, that eyes, champagne, and wit, vied in brilliancy, and that all were pleasing and pleased.

Now, Captain, we will get under weigh, and stretch out a little into the offing, to view the state of the race. Which vessel rounds the buoy to windward is the question. The Lulworth has it! Her bosom, gradually swelling, woos the breeze, and down she comes right before the wind. Next the Menai, having passed the Louisa, eases off her tack; and now all three are one mass of canvass. When they come within sight from the bay, no one can tell which is first—the Menai or the Lulworth. But soon the point is cleared up; for the former luffing up passes across the stern of her competitor, so as to take the wind out of her sails.—The manœuvre succeeds. Backed by the large spread of her opponent's canvass, the sail of the Lulworth flaps against the mast, and the Menai shoots a-head. Another shout for the Menai. In this order they come down, till just as they are passing the Castle, when the Lulworth puts in practice the same trick that had succeeded in throwing her astern—but in better time, for, being now close to the goal, the Menai is not able to recover her lost ground, and the Lulworth wins the cup by half a bowsprit. Our folks are all for the Lulworth, which was built at our port, and a shout of triumph is set up by the party. The contest being ended, salutes are fired by the battery ashore, and by such of the yachts as have the means, from the great gun of the commodore down to the swivel of the cutter.

The evening is now far advanced, and we must think of getting home. Ay, there 's the rub! The wind, which has freshened since morning, is right in our teeth, and the tide will not last long, so no time is to be lost. The sky looks angry to windward, and a short rough sea, caused by the opposition of wind and tide, will make it any thing but a pleasant beat. The rain now begins to fall heavily, and the spray covers our deck; but few have stomachs strong enough to venture below for shelter. Cloaks are at a premium; but the wind is so high that umbrellas are at a discount. What a fool was I to bring my best hat! The gentlemen must now make themselves useful. A mother and daughter fall to my share: the former, a fat old lady, lies like a log upon my arm, and the other, though not quite so pressing, demands equal attention. Every lurch the vessel takes I get such squeezes and pinches, as under any other circumstances, might have flattered my *amour propre*, if they did not improve the colour of my skin. Then, every instant I am questioned as to the danger of our situation, or called upon to excuse the liberty taken in clinging so close to me for protection. Reader! take my advice, and never marry a lady till you have beat to windward with her in a cock-boat and in a short sea; and then, if you think more of the fair one than you do of yourself, you may safely pronounce yourself in love. Then, indeed, you have a soul for love, and a stomach for matrimony. My situation, as may be supposed, is none of the pleasantest, for I am not the best sailor in the world. While sitting to windward, with my legs planted against the sky light, I have to support my two proteges, and to keep them from pitching on their heads; and when a shift of tack brings us on the lee-side, the case is, if any thing, worse. A cold clammy hand seems to pass across my forehead; my feet swim; and O—h! The interval between the o and the h may be filled up with *itum*.

In this manner we beat for two long hours, exposed to rain and spray, while each person mentally exclaims, "Catch me in a boating party again!" At length we reach the mouth of our river; but it is now dark, and the tide runs out. The wind, however, is in our favour, so we try to make our way up: but in the attempt we stick in the mud; and there the vessel must remain till the next tide.



The boat cannot hold more than half the party: the rest must wait till the vessel floats. My ladies are off: I will now light a cigar, and with a dram endeavour to counteract the effects of my ducking; but, alas! there are no means of striking a light, and the servants and sailors have cleared the liquor baskets. This is worse than a bivouac. Towards morning we get ashore, when we drag our dripping carcasses home, to swallow a cup of hot tea, and go to bed. O the delights of a boating party!!!

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### CONDITION OF SICK OFFICERS IN INDIA.

THE MELANCHOLY CASE OF LIEUT. C——, OF THE MADRAS ARMY, AND HIS SON, &c., &c.

*To the Editor of Alexander's East India Magazine.*—  
SIR,—As I find your journal always ready to expose abuses and cruel acts in India, I beg to request you will insert this letter, as it may preserve an orphan child from misery, and disgrace to the British name. Perhaps, some of the benevolent East India Proprietors may cause enquiry to be made after the lost child, whose father, I was told, was an amiable young man, and, I was lately told by a brother, that he was a very beloved member of his family.

A few years since, at Bombay, and while fighting the battles of the cruelly treated sick at Bussorah, which is too long a matter for this letter, as I also fought at Bombay with those who opposed me, the chief Secretary Newnham, and the Medical Board, who wanted to hush me. Surgeon Grey and others, of the Bombay Army, told me it would be charity to go and see an officer of my establishment at Madras, that was laying in his tent, calling and moaning day and night, and nobody answered him. I was soon in his tent, his name was not known to these officers; I found him helpless, with a toty only with him, and in a state it would have been better for him to have been a Hindoo, he would then have laid on the banks of the river, which would have kept him clean. I believed he had not long to live; he told me his name, and gave me a ring he had in bed with him, the gift of some friend in England, no doubt, when he left for the "land of promise," desired I would wear it lest I should forget to call again, and take him with me to Madras. He had been brought to the Bombay Green from a journey of 300 miles; his servants left him and returned to their country, giving him some strangers. He was going home for the recovery of his health. He now and then saw a medical man, and was within sight and hearing of hundreds of his countrymen daily listening to merry music, including the Governor, chief Secretary Newnham, Commander-in-chief, and other great



men. Messrs Shotton and Co., of Bombay, advanced 200 rupees for his passage to Madras, on my becoming responsible. He died within forty-eight hours after he got on board, but his funeral cost nothing; and, had he died on shore, neglected, there would have been a great display of sombre finery on shore, to support the dignity of the character of servant of the East India Company, that was allowed to lay and die like a dog. When I saw he could not live, I suggested to him the propriety of naming to whom he would like his property to go, as he was so seriously ill, and suggested his mother to be that person, without knowing he had one; after delay, but being urged to reply, he said, "I have a son." Then, you wish him to have your property. "Yes;" was his answer. But, if he dies, you then wish your mother to have it. "Yes;" was his answer. The Rev. W. Ward, Church Missionary of Ceylon, was at his bed-side, and witnessed my committing these statements to paper. A day or two after, we swore to their truth, before the Captain of the vessel, Cuthbertson, a commander I had before sailed with. When I got to Madras, I did all that was needful; I advertised the will and advertised for his child, a little Hindoo British boy. Soon after this, Judge Comyn pronounced the will of no effect, because we had not sworn to it at the time.—

The poor boy, being born out of wedlock, can claim nothing.—

But I could not find him; I was ill and went to sea, for two years, after this. Now, there was 1,500 Rs. due him for passage money to England, this he would have drawn had he been able, and have been on his way to England when he entreated me to take him away with me; the name of Madras seemed to cheer him. I would willingly have staid and assisted him to have embarked for England, but it was an offence my being in Bombay, at this time, but I would not be driven overland to Madras, by the Medical Board, after two Surgeons, at Bombay, solemnly declared it was necessary I should go to sea; and the Board wanted me to go when I first arrived, but I did not choose; I had battles to fight like poor Mr. C——: this young man, and all such servants, who were so friendless, should have been in the entire keeping of his medical attendant. Repeatedly, while I was at Bombay, I was applied to by the servants of sick officers, to come to their masters; they could not find the proper Doctor. I had been doing duty nineteen months at Bussorah, an astonishing long time for a Doctor to remain with Colonel Taylor. I was a sort of slave, that did the duty of three or five medical servants, without my pay, for nearly two years;



no clothes or food, latterly ; but I was better off than Mr. C——, surrounded by hundreds of his countrymen. The Arabs, Hebrews, and Greeks fed me when I was unable to rise from my bed, and, at times, to see the hand that fed me. Should the reading of this, tend to benefit the poor boy, I shall be glad.— I hope the Court of Directors will give the boy his father's passage money of 1,500 rupees ; though, strictly, it cannot be claimed, as his father did not embark, therefore, Lieutenant C——'s heirs cannot claim it ; but I hope, the boy, after my statement can, on the score of humanity. Had his father, a fine young officer, received proper help in time of need, he would have drawn it, and have sailed for England, and returned, if all is true, in all probability, and returned an ornament to the service, and have protected his child : which is now, perhaps, a little shoe-black, or begging bread at the huts of Hindoos and Mahomedans. Had there been good and wholesome regulations in the medical department, this young officer might have recovered, I have seen much misery of this kind at Madras ; I have experienced it when not able to raise myself in bed, and a very young Assistant Surgeon ; I had all my four letters returned from the Adjutant General's Office, by Lieut. C. B. M. Johnson, an Assistant in the Office ; I had not written them according to form ! these letters were humbly soliciting leave of authorities to go to sea, for the recovery of my health. Now, Mr. Editor, sincerely do I wish to see an order from the Court, directing that Surgeons should have in their entire keeping all sick officers ; that is, conduct their little duties, such as writing their letters, &c. ; or, that Surgeons should be simply directed to report to the Adjutant General that officers are unable to write or ~~trouble~~ themselves about forms of letters ; and on that letter, the Adjutant General should obtain his leave on sick certificate. Had I been Lieutenant C. B. M. Johnson, I would have written the letters, and sent them with a note, desiring the sick officer to sign them ; or, had I been Adjutant General, perhaps, instead of him, at 5 or 600 rupees per month, I would have had for an assistant writer or letter manager, a Native, on 20 rupees per month, who could have done all this very nicely. It is right that the forms of Government should be observed, but why are dying creatures, or men, some suffering more than a dying man, to be troubled about what could be done without harassing him ? Although the Bombay Medical Board did not think going to sea necessary, I started again after I got to Madras : the authorities at Malacca extended my cer-



tificate, so they did at Calcutta, and again, at the Cape of Good Hope, a place (hat I was first advised to go to. I went to Calcutta to get a passage to the Cape, and that enables me to bring more cruel treatment to notice, of sick civilians and a fine young soldier ; however, the latter died as he was coming on board. But, at Calcutta, two Surgeons said to me, it would be a great act of kindness if I would go to Malacca and Singapore with a party of sick, but I was urged on account of the Marine Secretary, who was not a covenanted servant ; I consented ; I was injuring myself, in health and pocket, although, the M. S. would and did pay 200 rupees for my dog-hole in the ship, but which had a most excellent table. The party were Messrs. A. and R. Grote and Lieutenant Grote, brothers of Mr. Grote, M. P., a Mr. Money, Mr. Greenlaw, and Mr. Cornish. Now, to send these H. C. servants to sea, without medical aid, three in a dying state, was using them worse than convicts are used ; for the Government gave them a good medical officer to take care of their health, although they are sent healthy on board. Now, it ought to have been the duty of those Surgeons to have gone up to Lord Amherst, if the Medical Board would not, and state the necessity of sending a Surgeon with them—the Captain of the ship would have died, I believe, if I had not been on board. Now this ship was not fit to receive Mr. Cornish, an amiable young man, a young writer, just arrived in the country, and who went most suddenly into a rapid consumption. This poor youth I found in a cabin over the gun-room, which was nearly full of pepper ; but the hatch in his cabin was continually being opened to go into it for other things, and the fumes that came up were suffocating ; this young man was coughing up matter, sometimes blood, and had great difficulty of breathing, he ought not to have been put in such a place, he died a few days after, he reached Singapore. Mr. G., who was also coughing up matter and large quantities of blood occasionally, and whose case was deemed quite hopeless, recovered. Lieut. G. died the day he was to have come on board—his brothers were ill but recovering, and required only a word of advice—Mr. M. also. \* The two Messrs. G. are since dead.

I returned from the Cape of Good Hope via Bombay, where I saw my friend Dr. Milne, who changed his opinion of my case ; at least, I suppose so, as President Mardon said the Board did not think it necessary for me to go to sea : but he after changed his opinion. I heard, while I was at Bussorah, he bought and



sold horses, that is, he dealt in them; this was after he wrote a book censuring the conduct of Surgeons entering into trade. I never asked the Board what they thought of me after my two years trip to sea, but I had quite recovered from the distressing palpitation of the heart that I had been troubled with, after a severe salivation at Bussorah, the severest, I suspect, that man ever got over; and some years before this, when a very young Assistant Surgeon, I objected to Col. McDonnell, of H. M.'s 34th regiment, being sent to Bombay from Jaulnah; he had been severely salivated, and had severe palpitations and convulsions in consequence. I said the journey would kill him, others did not think so, or he would not have been sent; his Surgeon was a clever man, and the most generous man I ever knew to his sick—but others thought it was his lungs—I thought his heart was weak; but, in obedience to orders, I started against my will with him to Bombay. I had great regard for him. He offered to get me a Commission in H. M.'s Army, being pleased with my success and diligence with sick men of his corps, and often said, "tell me what I can do to serve you." I was, at this time, being persecuted by the Adjutant General for my reform principles, having had the audacity to refuse to keep, as my medical assistant, my Commanding Officer's drunken shoe-black, the uncle of his children, a fellow that robbed the medical stores and sold them—a fellow that could neither read nor write, and had to make up my prescriptions, and administer medicines, and prescribe on emergent occasions in my absence. However, this I did not mean to introduce; but I started against my will, and at the first stage the Colonel died convulsions came on, and more severe, being much weakened by the journey, and he was dead in an instant. Colonel Everard, who was in his tent, had called to me, I had only gone out to get him some broth heated; but before I could reach him he was dead. I returned with him to Jaulnah at midnight, and the next morning examined his chest; his lungs were sound, a portion of the heart that should have been a strong muscle, was a bag of skin; bearing this in mind, I preferred, respecting the solemn declaration of two Surgeons, to the *ipse dixit* of Mr. Todd-Mardon. I had, on a former occasion, exercised my opinion as related to my own health, and the Madras Medical Board approved of it. One more, Mr. C., and I have done,—a young man with a wife and two children, after I returned to Calcutta, and had become a private practitioner there, came to me and said he had been pensioned as



incurable, and the Surgeons of Calcutta would not give him a sick certificate; he could have gone on leave, but sick leave gave the poor distressed young man a trifle of money, and as my opinion was different from the Calcutta Surgeons, I do not know how many refused. I said, go home, your health will improve on the voyage, and as that improves have an operation performed, and I have no doubt you will recover. Two years after he met me in Pall Mall. I did not know him; he said Sir Astley Cooper had operated upon him, and he was just well. Now even Mr. Greenlaw, who is a good-hearted man, and who paid me an annual sum, while I was in Calcutta, to attend him and his family, thought I was presuming, as I had now my pension and nothing to do with the servants of the Company; yet he that could command their attendance, without paying them, employed me, whose attendance he could not command; and he would not forward the young man's certificate to Lord Bentinck, for this young man was of the Marine Department, like Mr. G.; however, I forced Mr. G. by saying I would go up with it myself. Lord B. paid me a compliment by doing the young man justice, and letting him go home on sick certificate. I did not wish my house to be made a place of redress for persons so situated; but another came, and I told him I could not interfere, he was of the Army; I was very sorry I did not—he soon after died.

I will close this letter with a late occurrence which you have no doubt read of Major Davis, who poisoned himself with prussic acid. It appeared he had been insane some time, and had the prussic acid in his possession some time—what was his medical attendant about? How is it that a man, who had served the H. C. 36 years, should be so neglected, or any creature, even the enemy of the Government, it lives under if insane? One more hard case, many years ago, when coming home on certificate, and staying with the Captain of the ship, John Freeman, a young officer who was also to go home in the vessel, came to his house at midnight, after a long journey; he had gone to his agents, rather his bearers, took him; he knew not where he was going; they I suppose did not want him, but why not send him to the General Hospital, the noisy house of a Captain of a ship was not a place for a sick man, and it is not every gentleman that would take in their passengers, but Captain F. was an ornament to human nature—this poor fellow was a corpse before day-light, he never spoke. I was very ill, and had been, not long before, sept on shore from the ship



to Fultah to die by Lieut. Levanike of the Madras Army. The benevolent Surgeon Ord, Trustee to the Medical Fund, sent me up to Calcutta in the sickly season, he did not think it was necessary for me to go home and take £300 from the Medical Fund. Surgeon Annesley, who saw me, and others, Surgeon McCleod, now in London, was one that said I ought to get home directly, and Surgeon Orr, at Calcutta, said it was infamous not sending me; Surgeon Annesley wrote me to complain to the Medical Board, but I was too ill; this was the time Lt. C. B. M. Johnson sent back my letters as informal. If these statements benefit the condition of the sick, I shall be happy—I ever tried to do so while among them in India—I wish the benevolent proprietors could see all I have written to the India House the last 16 years relating to the sick.

Your obedient Servant,

December 15, 1836.

• CHARLES JONES. •

#### THE GOVERNMENT RELIGION OF INDIA.

Our attention has been called to a series of Letters on the "Government Religion of India," addressed, by a correspondent to the Editor of the *Madras Male Asylum Herald*. These communications are strictures upon the mode of religious observance in the Indian Army. To endeavour to reform the rough and secular hearts of the Military, no matter when or where, has ever proved, and will ever prove, a most vain attempt. The mode of life in the Army inculcates the opposite of Christian sentiments. A soldier's life takes a road directly at a tangent with that of the Christian. It is a solecism to say, that one whose whole being is devoted to maintaining the rights of his nation by *force of arms*, one who is never without his sword, and whose implements of warfare are ever furbished and in complete preparation for the work of death, it is a solecism to say that such a man can consistently serve his Maker as our Bible and Testament require and sets down for our study without foregoing his professional duties. No; the most effectually worldly of all worldly men is the soldier—he cannot play havoc with the lives of myriads without acknowledging that he acts indirect opposition to the tenets of his own religion. We have ever deemed warfare a cruel, an arbitrary, an uncivilized proceeding in every sense opposed to those rules of society, which, through the instrumentality of religion, binds man to man by the ties of christian feeling.



The letters of "*Fellow Pilgrim*" to the Madras Journal in question, are aimed at two points however observable in this intolerance of the Indian Army relative to their religion. Whilst one portion of these communications is devoted to strictures on this intolerance, another portion reprobates an equally censurable circumstance; viz.,—the degrading observance of idolatry which, from what is termed politic notions, is allowed to poison the little of Christianity pervading the Army of India.

On Government religion, in the Indian Army, "*Fellow Pilgrim*" observes:—

"Is Christianity revered in the Army, or, is it treated with a toleration equal to what is accorded to Mahomedanism and idolatry?" He proves that Christianity is by far less revered than it should be. For, Christian subjects in the Indian Army, he says, are commonly ordered to form part of pagan processions, and to participate in the ceremonies of a religion which is denounced in the bible and new testament. Equal respect is paid to idolatry also. "The whole of the Nagpoor subsidiary force, European as well as Native troops, are marched annually to celebrate the heathen Dusserah festival, and their presence forms the principal part of the pageant. The British Resident, representative of the British name and character—the Officer who commands the force—the Political Assistant—and the principal Staff Officers, are admitted to the performance of the idolatrous rites; whilst the troops in review, dress, fire salutes, &c., in honour of that worship which, to the Christian, is but the adoration of the devil. In the schools of the army, observes our authority, anything but Christianity is to be found: the koran being preferred to the bible, as best suiting certain political purposes.

"The expense of the idolatrous and pagan rites are principally borne by Europeans. There is not a regiment of the Army in which these things are discountenanced by the body of Christian Officers declining to subscribe their money, or to be present at scenes which, they must know, degrade the religion they really belong to."

It is by no means a pleasing circumstance, says "*Fellow Pilgrim*," that billiard-playing, card-parties, &c., occupy an Indian sabbath.

"I enquired of a friend, whose grey hairs proved that he had gained the experience before, as a Field Officer, he was entitled to the temporal advantages of the youngest Chaplain in



the Army, what effect he considered to be produced by the State Clergy on the religion of the subjects:—He told me, that if a military Chaplain was meant for the spiritual good of the military majority, one objection to their utility was, that he had never known one who could put together twenty words consecutively in any language with which that majority was acquainted; he had observed, that what was preached at one station was not considered good doctrine at another, and that neither appeared to coincide with the book from which the texts were taken; he had known one Clergyman who would advise his flock, when it was to be a “Field day” with him, i. e., full service; and when he meant to fire “blank cartridge, i. e., give prayers without sermon. Although the body of the clergy had not been very numerous, he could remember that members of them had been guilty of seduction, adultery, drunkenness even in their pulpits; he knew of one who was a pugilist, another a sportsman, another who neglected the death-bed of a dying woman to appear in character at a fancy ball as an infidel fakcer. If, said my informant, covetousness be idolatry, I have know too many who might justly be called the priests of bullion; and he instanced that a military Chaplain having taken a contract for certain buildings to be effected within a certain time, the wishes of his congregation could not prevail upon him to obey the fourth commandment and cause the work to cease on the Sabbath; he told me of sextons, grave-diggers, bell-ringers, and lamp-lighters, who, being public servants, were made use of about the houses and gardens, to save expense to the Clergy—of travelling allowances drawn, for which no duty was performed; but, as he did not tell me that the Clergy had, collectively or individually, mildly and affectionately remonstrated against the salutes to Mahomedan feasts, Church of England Bishops, and idolatrous festivals; that they had not only preached the doctrines of St. Paul, but had endeavoured, at humble distance, to follow in the meek and lowly footsteps of the Saviour who had declared, in words which are to last till heaven and earth pass away, that it is impossible to reconcile God and Mammon, love of this world with the sincere desire for the world to come; as he did not tell me of any of these things, I could only suppose that, notwithstanding the shining brightness of a Corrie, a Cubitt, a Hallewell, or a Shortland, the religion paid for by the State, is not that of the gospel, and that the Government, even if not strictly either Mahomedan nor Hindoo,



is not at any rate what can be called Christian ; I fear, therefore, that I have not established the point for which *Pilgrim* sought ; I will put one question to which some satisfactory answer should be given—there are some Officers in the Army and those by no means the worst, who would lose their commissions rather than their souls—if one of these should be ordered to attend at idolatrous rites in direct opposition to the commands of his God, and he, with the respectful firmness of a Christian and a soldier, should urge the superior power to which his obedience is first due, what will be done? Will he be allowed the toleration granted to a Musselman and Hindoo, or will there be an attempt to force his conscience, by the alternative of the loss of his commission?”

Thus much for the peculiar sentiment of religion which evidently pervades the Christian (?) military of India. If the Government is apathetic upon this point, is it to be wondered at that a thousand other common abuses remain in the Army, rather winked at than opposed by any salutary measure for their extinction.

### SHIPWRECKS.

The following are the remaining remedies which the Report on this subject puts forth against the abuses animadverted upon in our number for Dec. last.

**EXAMINATION OF OFFICERS.**—The formation of certain standards of qualification in seamanship and navigation, to be attained by officers before they should receive licenses of appointment to particular grades in the merchant service ; and certain higher standards of qualification in seamanship, navigation, and nautical astronomy, to be attained by masters before they should be entitled to receive licenses of appointment to the command of vessels of different classes and for different voyages.

The appointment of examiners in seamanship, navigation, and nautical astronomy, for the public examination of all candidates for appointment as officers or commanders, with power to remand all who should be deficient in the requisite degree of knowledge for the class to which the candidate might aspire, and with a power also to grant licenses to officers of superior skill and knowledge, authorizing each class to wear a uniform, as was done in the late mercantile marine of the East India Company, differing from the uniform of the navy, but at the same time sufficiently marked for the purpose of distinguish-



ing the persons wearing it as passed officers of the merchant service.

**SAVING-BANKS AND ASYLUMS.**—The preservation of the health, strength, and moral character of seamen, which are material elements in the efficiency of ships' crews, and tend to lessen the risk of shipwrecks, by the establishment of saving-banks for the wages of seamen, and asylums for the reception of the men and their effects, either in ships to be moored afloat, adapted to their reception, or in buildings erected on shore; for the purpose of saving these seamen, as far as may be found practicable, from the misery and degradation into which they are so constantly plunged almost immediately after their return from sea, when, being made intoxicated, and sometimes stupefied by drugs, they are robbed and plundered by crimps, who make them their victims, and who hold them in actual bondage until all their wages are drained from them, when they are often taken in a state of intoxication to a ship, of the officers and crew of which they know nothing; and their advance of wages, instead of being applied to the purchase of an outfit for the voyage, is seized by their original betrayer for a real or pretended debt incurred while in his custody.

**REGISTRY-OFFICES.**—The formation of registry-offices for merchant-seamen, at which certificates of the name, age, capacity, and character of every seaman (which, by the late act for the registration of British seamen, must be granted to all seamen demanding the same from their commanders at the time of their discharge) may be deposited and recorded in a register-book to be kept for that purpose; such registry-offices to be bound to furnish, free of expense, authenticated copies of such certificates of character to all seamen applying for the same, in order to afford the requisite facility for the selection of the best men, and to furnish inducements to commanders to engage, at early periods of the vessel's sitting out, the actual crews by which their ships are to be manned for the voyage.

**NAUTICAL SCHOOLS.**—The establishment of cheap nautical schools, either in ships afloat adapted to the purpose, or in appropriate buildings on shore, in which the practical duties of seamanship and the elements of navigation should be taught to the young apprentices who are training up for the sea, and in which under proper directions, some attention should be paid to their habits of cleanliness, order and sobriety, and the preservation of their moral characters, all of which are at present unhappily neglected.



**COURTS OF INQUIRY.**—The arrangement of a plan for the institution of courts of inquiry to examine into the circumstances of every shipwreck that occurs, as far as may be practicable, with power to pronounce a verdict of censure on the owners or commanders of all those vessels where the result of inquiry should establish the fact of such wreck being occasioned by any fault or deficiency on the part of either, as well as to acquit honorably the owners and commanders of those ships against whom no fault could be proved, and to make the evidence and verdict in each case public in every port of the kingdom; with further power to suspend, for a given time, the licenses or certificates of such officers and seamen as should be proved guilty of gross incompetency or gross neglect of duty; and to reward, either by re-imbursement of their loss of wages and effects, or by gratuities, or medals of honor and distinction, those officers and men who should have particularly distinguished themselves by their skill, courage, or humanity, in preserving the lives and property of others, whether actually belonging to the ships that were wrecked, or coming to their assistance from other vessels or from the shore.

**SETTLEMENT OF DISPUTES.**—The formation of special tribunals for the cheap, speedy, and open trial and adjudication of all questions arising between shipowners, officers, and men, relating to claims for wages, breaches of discipline, and such other matters of dispute as might be fitly submitted to summary jurisdiction, in order to avoid the great delay, expense, and uncertainty attending such trials in the ordinary courts of law and police, as at present constituted, the effect of which is often sufficient to deter parties from seeking redress, and thus to defeat the ends of justice, equally to shipowners, officers and seamen.

**DIMINISHED USE OF SPIRITOUS LIQUORS.**—The encouragement, in his Majesty's navy, of the system—so happily followed both in the ships of war and merchant vessels of America, and in some instances in the merchant ships of England, with the best results in every case,—of discontinuing the daily supply of spirits to the seamen as an article of necessary use, and substituting the more nutritious and wholesome beverages of coffee, cocoa, chocolate, or tea, so as to restrict the quantity of spirits supplied as stores to the amount required for special and urgent occasions, to be served under the direction of the commander and medical officer of each ship, and at such periods only as they might deem necessary.



**LOADING AND PROVISIONS.**—The prevention, by such means as may be deemed most efficient, of the practice of carrying any portion of ships' cargoes on deck, by which vessels are frequently upset and waterlogged or sunk; and the securing the reservation of an adequate portion of the provisions and water for the crew, to be kept in some part of the vessel that shall be accessible in such cases of peril, to prevent the dreadful scenes of hunger, misery, and lingering death, to which so many are subjected every year, from the want of some such securities as those proposed.

**PLANS AND MODELS.**—That, among the various plans and models of proposed improvements in the construction of vessels which have been submitted to the committee there appear to be none more worthy of serious attention than those which show the great superiority, in strength and powers of resistance, of the solid bottoms of ships, as evidenced in the case of his Majesty's ship "Pique," over the ordinary method of construction in merchant vessels, by which open spaces are left between every pair of timbers. They conceive, also, that the apparatus of Captain Manby, for conveying a rope communication from the shore to the ship, in cases of wreck, and the apparatus of Mr. Trengrouse for conveying a rope communication from the ship to the shore, or from one ship to another, are deserving of national encouragement, as calculated to rescue many lives from destruction, wherever speedily and judiciously applied.

**AMERICAN SHIPPING.**—That the committee cannot conclude its labours without calling attention to the fact, that the ships of the United States of America, frequenting the ports of England, are stated by several witnesses to be superior to those of a similar class amongst the ships of Great Britain, the commanders and officers being generally considered to be more competent as seamen and navigators, and more uniformly persons of education than the commanders and officers of British ships of a similar size and class trading from England to America; while the seamen of the United States are considered to be more carefully selected, and to be more efficient; that American ships sailing from Liverpool to New York have a preference over English vessels sailing to the same port, both as to freight and to the rate of insurance; and, higher wages being given, their whole equipment is maintained in a higher state of perfection so that fewer losses occur; and as the American shipping have increased of late years in the proportion of 12½ per cent. per annum, while the British shipping have increased within the same period only 1½ per cent. per annum, the constantly increasing demand for sea-



men by the increasing maritime commerce of the whole world, the numbers cut off by shipwreck, and the temptations offered by the superior wages of American vessels, cause a large number of British seamen every year to leave the service of their own country, and to embark in that of the United States, and these comprising chiefly the most skilful and competent of our mariners, produce the double effect of improving the efficiency of American crews, and in the same ratio diminishing the efficiency of the British merchant service.

1836.

### CRITICAL NOTICES.

"The Book of Common Prayer, &c., &c.," with Explanatory Notes. By the Rev. G. Valpy.—Valpy, Fleet Street.

Mr. Valpy informs us that "it is much to be feared there are many who do not understand the prayers which they offer up from the Book of Common Prayer: there are, at least, many words and expressions which are to them as an unknown tongue. It is for such, especially, that this book has been edited." We believe Mr. Valpy correct in his assertion relative to the ignorance of church-visitors upon the point in question. Certes, we may add that three-fourths of the junior congregations attending church on the Sabbath, although they are accustomed to parade very handsome and appropriate books of prayer, seldom devote more than their eyes to the text, perfectly unaccompanied by a thought purer than that excited by the "vanities of the world;" or, by some admiring and admired individual of either sex in an opposite pew. No one will accuse us of invidious illusion when we say this, for the fact we have stated has been often apparent to ourselves, as it must have been to the most unobservant. We hope, the book before us, with its explanatory notes, will mitigate this evil; doubtless, it will pave the way to this end: but something infinitely more important is needed to render that which is now "but a mere form," a subject of heartfelt investigation.

"British Colonial Library," Vol. I, "The West Indies." By R. M. Martin, F. S. S.—Whittaker and Co. 1836.

We deem this a well-digested compilation. It will be read with interest by the philosophical, philological, mercantile, or general reader. Food for reflection is placed concisely before each; and what is still better, neither will have to wade through turbid waters. We may be allowed to compare this small volume to a lucid streamlet, whose bottom, though deep, is to be solved by any inquiring mind.



## Indian Intelligence.

### Calcutta.

SUPREME COURT, May 10, 1836.

*The Maritre Case. — Judgment Continued.* — Chief Justice — After the various reports and proceedings that I have mentioned, these consolidated causes came for hearing on further direction, on the Master's Reports in November, 1830. The argument lasted several days, on the 8th of February, 1831. The then Chief Justice, Sir Charles Grey, delivered at great length the judgment of the whole Court. This decree, it is necessary I should state, for after it was pronounced, petitions for a re-hearing were filed by both the next of kin and the City of Lyons; and these petitions came on for hearing in June and July of 1831, and Counsel were again heard for several days. The Court took time to consider, and on the 23d of February, 1832, pronounced the decree under which the Master has made the report now before the Court, and on which the cause has been set down for farther directions. That decree is different from the decree of 1831, in many important respects. One of the grounds for a re-hearing stated in the petition of the next of kin, (whom Mr. Grant and Mr. Osborne now represent) was that the decree of 1831 had varied and altered the decree of 1822, which the Court was not competent to do—and on which ground expressly some material alterations were made in the decree of 1832, to obviate that objection, it is a singular part of the proceedings in this case that the Counsel for the same parties at this hearing have strongly urged upon the Court the necessity of altering in the decree, we are about to make, the decree of 1832. With what consistency they make this request, difficult to say. I will now state the substance of the decree of 1832, which the learned Judge seems to think so erroneous, but which, notwithstanding, the observations he has been pleased to make, I am satisfied was, in substance, a right decree. The decree recites that it appeared at the hearing that the report of the Master, which was filed on the 17th day of July, 1830, which was confirmed without any exception having been filed, or any case shewn against the confirmation, was, in some respects, exceptionable. And, that the two executors of the testator, Claude Martin, namely, John Palmer and Jacques Deverine, notwithstanding the decree of the 2d day of December, 1822, were liable to be called

again before the Court by any of the parties to the suit. But that great expence and delay would be occasioned by now sending back the said report to the Master, and deferring all further directions until a corrected report should be obtained, and, that no party had prayed for an order to that effect, nor for any further process against the said executors, or either of them, and it was alleged at the hearing, and was not controverted, that one of the said executors, viz. the said J. Deverine was living beyond the jurisdiction of the Court, and that the other, namely, the said John Palmer, had been adjudged insolvent by the Court for the relief of Insolvent Debtors at Calcutta, and it thereupon appeared to the said Judges that the Court ought not by reason of any of the imperfections in the said report, nor by reason of the said executors having been so discharged, as before said, to be prevented from now declaring the intentions of the said testator, and the rights of all the parties now before the Court as far as the state of the proceedings might enable the Court so to declare, nor from making any decree respecting the disposal and application of the monies which have been paid into the hands of the Accountant-General and Sub-Treasurer of the East India Company, with the privity of the Accountant-General of the Court, and are now standing to the general credit of these causes. The Court, therefore, declared that the testator, Claude Martin, was born a subject of the Kingdom of France, and, at the time of his death, which took place at Lucknow, in the month of September, in the year of our Lord 1800, was an alien friend. And had acquired an English domicile during his service under the United Company and the British Government in India, which domicile he retained at the time of his death. And that all questions respecting the succession to his property, and the disposal thereof, and the effect of the will of the said testator must be determined with reference to the aforementioned facts of his having been an alien friend, and having had an English domicile at the time of his death. And that the said testator, at the time of his death, had no relations of the whole blood, nor any heir at law according to the English law. And that, at the time of his death; the next of kin of the said testator, according to the law of England, were all resident in France, and were a brother



of the half blood named Lewis Martin, a sister of the half blood named Fleurie Martin, married to Christopher Durand, another sister of the half blood named Francoise Martin, another sister of the half blood named Magdehuc Martin, and Charles Xavier Marie Martin and Catherine Charlotte Martin, children of Pierre Martin, a deceased brother of the half blood. That Louis Martin had since died, having first duly made and published his last will and testament in writing, and leaving him surviving his widow, Maria Desgranges Martin, and his three children, Christopher Martin, Claudine Martin, married to Pierre Ballofet, and Francoise Martin, all parties to these suits. And that the will of the said Louis Martin has been duly proved in the Prerogative Court of Canterbury, by his eldest son, the said Christopher Martin, who also obtained in the same Court *administration de bonis non with the will annexed* to the estate of the said testator, Claude Martin. That the said Christopher Martin as such executor of Louis Martin, and as such administrator *de bonis non* of Claude Martin on behalf of himself and others interested; and the said Charles Xavier Marie and Catherine Charlotte Martin stated their claims under the commission which issued on the 11th December, 1816, for the purpose of enabling creditors and legatees in Great Britain and Ireland, or in France, to prove these claims, and which said commission was executed and returned the 3d June, 1819, and that none other of the next of kin stated any other claims under the said commission, but that they all had by the said commission, and by another commission which issued in the month of August, 1820, and which also was duly executed and returned the 7th July 1823, due notice of the proceedings in these suits, and that none of the next of kin are now resident within the jurisdiction of this Court, nor in any place, where any process of this Court could lawfully be served upon them. That the said will of the said testator, Claude Martin, was duly executed in the presence of three credible witnesses, and in such manner as to have been sufficient according to the English law to pass real estate. But that the said testator, Claude Martin, having been, by birth, a subject of the King of France, and having been, at the time of his death, an alien, the lands and houses in Calcutta alleged in the pleadings to have been held by the said testator at the time of his death, with the exception of the interest of the said testator in the house

at Chandpaul Ghaut, which previously to the decree of the second day of Dec., 1822, had been sold, and, by the said decree, was declared to have been a part of the personal estate of the said testator, could not, according to the law of England, be devised nor pass by the said will of the said testator, and that there are not the proper parties to these suits, nor sufficient evidence before the court as to the lands or houses, or other real or immoveable property, to which are alleged in the pleadings to have been held by the testator, and to be situated beyond the boundaries of Calcutta, but in the places which, at the time of the death of the testator, were within the Presidency of Fort William, or some of the provinces subject to or forming a part of the said Presidency to enable the Court to determine whether the said could, and did pass, by the said will of the said testator. And inasmuch as the Attorney General of our Lord the King, is not resident within the jurisdiction of this Court, and there is no party to these suits who hath made any claim to any of the said lands or houses, or other real or immoveable property on the part, and on behalf of the Crown, it is ordered that the receiver appointed by this Court, in these causes, to receive the rents and profits of the immoveable property, as well that which is situate within Calcutta, as that which is situate beyond the boundaries thereof, but in places which, at the time of the death of the testator, were within the Presidency of Fort William, shall continue to receive the rents and profits thereof, and, from time to time, to pay the same into the hands of the Accountant-General and Sub-Treasurer of the Company, with the privity of the Accountant-General of the Court. That the rents and profits of the said houses and lands in Calcutta with the exception, as aforesaid, of the said house at Chandpaul Ghaut, so declared, as aforesaid, to have been part of the personal estates of the testator, which have heretofore been received, either by the executors or by any receiver appointed by this Court together with the accumulations thereon arising from interest ought to be ascertained, and the amount when so ascertained ought to be set apart and placed to the credit of a separate and distinct account in these causes, to abide any claim respecting the same which may be hereafter made by or on behalf of the Crown, and that all the rents and profits of the lands and houses in Calcutta, except as herein-before is excepted which may hereafter be received by



the receiver of the Court as aforesaid, ought to be paid in and placed to the credit of the same account, and that in like manner the rents and profits or the proceeds of any sales of any lands or houses or other real or immovable property situate beyond the boundaries of Calcutta, but in places which at the time of the death of the testator were within the Presidency of Fort William, or the provinces subject to or forming a part of the said presidency which may have come to the hands of the said executors; or of any receiver appointed by the Court; or may hereafter be received by any such receiver, and may have been paid or may hereafter be paid to the Accountant General and Sub-Treasurer of the East India Company, with privity of the Accountant General of the Court, ought to be ascertained and set apart and placed to the credit of another separate and distinct account. That the intent and meaning of the said testator in the said will was, that payment of his debts and legacies should first be made, and a sufficient sum should be set apart and secured for the payment of the several pensions, and for the completing and maintaining of the several buildings, charitable institutions, and establishments in the said will mentioned, or so many of them as could be lawfully and effectually established and maintained, and for the payment of all salaries, wages and allowances in the said will provided for supervisors, servants, and other persons to be employed in and about the said buildings, institutions and establishments or any of them, and that after making all such payments and provisions if it should be found that the sum remaining would exceed 10 lacs of rupees, the whole of such surplus should be divided into three equal portions, which should be respectively appropriated and applied as far as they could be lawfully applied to the same charitable institutions, establishments, and uses at Calcutta, Lyons, and Lucknow, to which certain other sums were bequeathed and made applicable by the preceding provisions of the will, and if it should be found at the time of the said testator's death, that the sum so remaining as aforesaid after making all such payment and provisions as aforesaid, should be less than 10 lacs then that it should be kept at interest upon Government Securities, until it should amount to the sum of 10 lacs, when the whole should be divided and applied in the same way and for the same purposes as it hath been stated; that it was the intention of the testator in the

afore-mentioned cases that the surplus of it should at first exceed 10 lacs should be divided and applied. That legacy of 40,000 rupees to Pierre Martin in the said will mentioned, in consequence of the death of Pierre Martin in the life time of Claude Martin, became and was a lapsed legacy, and that all the other specific legacies to the several individuals in the said will mentioned, saving and excepting the monthly and annual pensions salaries, or allowances in the said will mentioned have been fully paid and satisfied. And that the sum of Rs. 150,000 which by the 23d article of the said will of the said testator was bequeathed to the poor of Calcutta, Chandernagore, and Lucknow, and a further sum to provide for the payment annually of the sum of 5,000 rupees, and of 1,000 rupees directed by the 28th article of the said will to be paid annually for the release and relief of prisoners for debt at Calcutta some time before the said decree of the 22d December, 1822, were paid by John Palmer, one of the executors afore-mentioned, into the hands of the Accountant Genl of this Court under a certain order of this Court, in a cause in which Ralph Uvedale, Esq. Clerk of the Crown, at the relation of Thomas Christenson was informant and the said John Palmer and others were defendants. And that a sum of Sa. Rs. 311,300 which with the accumulation of interest thereon amounted on the 31st day of December, in the year of our Lord, 1830, to the sum of three lacs twelve thousand, and ninety rupees, seven annas and eight pie, being a sufficient sum to provide for the payment of all the monthly and annual pensions in the said will mentioned, except such salaries and allowances as are directed by the said will to be paid to servants, superiors, and other persons to be employed in and about the establishment, tomb, and buildings at Lucknow in the said will mentioned, hath been appropriated and set apart, and is now standing to the credit of a separate account in these cases in the books of the Accountant General and Sub-Treasurer of the Company, and of the Accountant General of this Court under the head of Christopher Martin and others against Robert Spankie and others, and the other causes for the payment of the monthly and annual pensions. And that the sums of 200,000 and of 150,000 rupees bequeathed in the 24th article of the said will for a charitable institution at Calcutta, together with accumulations of interest therein from the time of the death of the testator have been set apart and placed to the credit of a separate ac-



count in these causes under the head of Edward Strettell and others, against John Palmer and others, and, together with subsequent accumulations of interest, and after certain sums had been paid for the purchase of certain lands for the purpose of the said charitable institution at Calcutta, did amount in the whole, on the 31st day of December, in the year of our Lord, 1830, to the sum of Rs. 8,82,856 1 7. And that the sum of 250,000 rupees, bequeathed for a charitable institution at Lyons by the 25th article of the said will together with all accumulations of interest thereon from the time of the death of the testator, and a sum sufficient to satisfy the bequest of 1,000 rupees to be paid annually under the same 25th article of the said will for the liberation of prisoners at Lyons together with the accumulations of interest upon the same from the time of the death of the testator, have been fully paid to the Mayor and Commonalty of the City of Lyons or to John Abbott, Esq. the duly constituted Attorney of the said Mayor and Commonalty. And that divers large sums since the death of the testator have been paid to or retained by the persons residing at Lucknow, and beyond the jurisdiction of this Court for the purpose of being applied in making the tomb of the testator and after buildings, gardens, and establishments thereof according to the directions contained in the said will of the testator. Further decree and declared that the form of the Government of Lucknow, and the circumstances of that country make it impossible that any effect should be given to the bequest of 4,000 rupees directed to be paid annually for the liberation of prisoners at Lucknow in the 33d article of the said will, and that such bequest is consequently void. And thus court is incompetent and unable by itself to give effect to the other bequests for charitable establishments and institutions at Lucknow, which is a place beyond the jurisdiction of this Court, and not forming any part of the presidency of Fort William in Bengal, but that the Governor General in Council of Fort William in Bengal has the means and is capable to give effect to the same, and that the same ought to be carried into effect, and that it appears by the Report of the Master, under an order made in these causes on the 25th day of July 1831, and which Report is dated the 5th day of November, 1831, that the said Governor General in Council is willing to receive and apply such sums as the Court may decide to be lawfully applicable for those purposes. And for as much

as the said testator Claude Martin, in and by the 33d article of his said will hath expressed his desired intention, that in case it should be necessary, the protection and assistance of the Government should be obtained for the purpose of giving effect to the said last-mentioned bequests and testamentary dispositions. And that if the whole sum of 260,000 rupees bequeathed in the 33d article of the said will of the testator, Claude Martin, for the finishing of the house at Constantia, hath not been expended and applied for that purpose, whatever may remain thereof ought to be set apart from the funds now standing to the general credit of these causes, and applied as a building and repairing fund for the house and establishment at Constantia, and ought for that purpose to be paid to the Governor General in Council, or to some person duly nominated and appointed by the Governor General in Council to receive the same. And that out of the same fund standing to the general credit of these causes, a further sum of 160,000 rupees for the support of a college and school at Lucknow, bequeathed in the 33d article of the said will, together with accumulations of interest on the same from the death of the testator until the setting apart of the same ought also to be set apart, and the interest thereof, from time to time as the same shall accrue and be received, ought to be paid to the Governor General in Council for the time being, shall duly nominate and appoint to receive the same, in order that the same may be applied to the purposes in the said 33d article of the said will mentioned. And that out of the funds standing to the general credit of the causes, the further sum of three lacs of rupees ought to be set apart, and the interest thereof paid to the Governor General in Council, or to such person or persons as the Governor General in Council for the time being, shall nominate and appoint in order that there may always be allowed and paid, the salaries and allowances for supervisors, servants, and other attendants and persons to be employed in and about the tomb, buildings, and establishments of Constantia, in the said will mentioned; namely, in the 30th article of the said will, the annual sums of 720 and 480 rupees, for two persons to take care of and superintend the tomb, house, buildings, and gardens at Constantia, and, in the 32d article of the said will, the annual sum of 2,580 rupees, for divers servants to be employed in and about the said house, buildings, and gardens; and also the sum of 6,960 rupees in the same



article of the said will directed to be paid annually for other persons to be retained and employed in and about the said house and tomb, and also the sum of 1,200 rupees directed in the same article of the said will to be paid annually for an European Superintendent, and also the sum of 288 rupees directed in the same article to be paid annually for eight harkarras, amounting in the whole to the sum annually of 12,228 rupees, and it is further declared that if any sums of money should have been expended according to the intentions of the testator, in and about the necessary care and superintendence of the said tomb, house, gardens, and buildings at Constantin, and should be now due and owing to any persons who may have acted for that purpose under the directions or authority of the testator or Accountant-General of the Court, or any former Master or Accountant-General, such sums ought also to be paid out of the funds now standing to the general credit of these causes. It was referred to the Master to enquire and report what part of the funds, now standing to the general credit of these causes, hath arisen from the rents and profits, with the accumulations of interest thereon, of any of the lands or houses situate in Calcutta, with the exception, as before mentioned, of the house at Chandpaul Ghos, declared by the decree of the 21 Dec. 1822, to have been part of the personal estate of the testator, and which, in the pleadings, are alleged to have been held by the testator, Claude Martin, at the time of his death. And to enquire and report what houses, lands, or other real or immoveable property situate beyond the boundaries of Calcutta, but, in places which, at the time of the death of the testator, were within the Presidency of Fort William, or the Provinces subject to or forming a part of the said Presidency, was, or were, in the hands of the testator at the time of his death, and what was the nature of the tenure thereof, and the estate or interest of any which the said testator had in the same, and what regulations or usages have prevailed, and now prevail, in the said Provinces beyond the boundaries of Calcutta as to the right and power of European aliens to devise or bequeath by will any lands, houses, or other real or immoveable property of which they may be possessed at the time of their death, within the said Provinces; and whether any lands, houses, or other real or immoveable property situate within the said Provinces, which was, or were, in the hands of the said testator, Claude Martin, at the

time of his death, hath or have been since sold, and the proceeds of the sale paid into the hands of the Accountant-General and Sub-Treasurer of the Company, with the privity of the Accountant-General of the Court, and of what part, if any, of such lands, houses, or real or immoveable property, the receiver appointed by the Court, is now in the receipt of the rents and profits, and what is the whole amount, if any, of the proceeds of any sales, and of the receipt of any rents or profits of any such lands, houses, or real or immoveable property, together with the accumulations of interest thereon, which is now standing to the general credit of these causes. And to enquire and report whether the several sums, before-mentioned, to have been paid by the executor to the Accountant-General of the Court, under and by virtue of certain orders made in a case in which Ralph Uvedale, Esq., Clerk of the Crown, at the relation of Thomas Christenson, was informant, and the said John Palmer and others, Defendants, have been and are sufficient to provide for the charitable bequests and purposes for which the same were directed to be set apart and paid, or what further sum may be required to be retained and set apart for that purpose. And to enquire and report, with greater certainty and particularity, what persons entitled to receive monthly or annual pensions, under the will of the testator, are still living; and whether any and what part of the sum of sicca rupees 3,11,300, which hath been set apart, as aforementioned, for the payment of such persons, may now be transferred back to the funds which are standing to the general credit of these causes, and to state some plan by which the payment of the said pensions may be conducted so as to prevent all trouble, and to provide for the gradual transfer back to the general credit of these causes, as the pensioners die, of the whole sum so set apart, and placed to the credit of a separate account as aforesaid, for the payment of the said pensions. And to enquire whether the whole sum of 200,000 rupees, allowed by the 33d article of the said will, for the finishing of the house at Constantin, hath been applied to that purpose, or what part thereof still remains unapplied. And what sum will be sufficient to satisfy the bequest of 100,000 rupees for the establishment, at Lucknow, in the 33d article of the said will mentioned, together with accumulations of interest thereon, from the time of the death of the testator; and whether any and what.



sums are now due and owing to any persons who have acted under the directions or authority of any Master or Accountant General of the Court for the necessary and proper care and superintendence, according to the intentions of the testator, of the tomb, gardens, house, and buildings at Constantia, in the will of the testator mentioned, or for the necessary and proper salaries or wages of any servants who may have been employed in and about the same, and, for that purpose, to permit any person, claiming any such sum to be so due to them, as last aforesaid, to come in before him, the said Master, to prove their said claims; and, further, to enquire and report, what surplus doth now remain out of the funds standing to the general credit of these causes, after making provision for all the payments, reservations, and appropriations to separate accounts, and other matters and things by this decree, ordered, directed, or declared.—Since the pronouncing of this decree the parties have been attending the Master on the matter referred to him. Separate reports have been made by the Master on some of the matter referred to him. Exceptions were argued on a separate report of the Master on July last, before Mr. Justice Grant and myself, and, in November last, this case was set down for further direction on the report which is now before us, and, in Jan. last, Counsel were heard at considerable length.—It is now necessary that I should advert to the questions that arise on this report and on which the Court is about to pronounce its decree. The decree of 1832 recites that there is not sufficient evidence as to the lands and houses which belonged to the testator at the time of his death, and which are situated out of the local limits of Calcutta, to enable the Court to say whether they could and did pass by the will of the testator, and the Master was directed to enquire and report what was the nature of the tenure of these lands, and what is the usage as to European aliens making a bequest of lands beyond the boundaries of Calcutta. The Master has reported on this point. I confess, at the time this direction was given, I had not any great confidence that a Report of the Master would throw any great light on this subject, and I do not think any very great assistance has been afforded to the Court on this question. At the time of this direction being given, I did state my own view upon the power of the testator to dispose of lands in the Mofussil, although unfortunately, at that time, on this part of the case, the then Chief Jus-

tice did not agree with me in opinion. It is not necessary that I should enter upon the reasons of the Court for holding that the lands in Calcutta did not pass under the testator's will. I certainly agree with the opinion on that point, expressed by the Chief Justice. Doe on dem. *Pordelet v. Humfrey*, had decided that the common law of England as to aliens is in full force in Calcutta, and that, consequently, they cannot inherit lands on the principle accurately stated in Story's *Conflict of Foreign and Domestic Law*. In page 363 he states, that it may be laid down as a general principle of the common law that a party must have a capacity to take according to the law of the *situs*, otherwise he will be excluded from all ownership. Thus, if the law of a country exclude aliens from holding lands either by succession, purchase, or devise, a title becomes wholly inoperative, as to them, whatever may be the law of the place of their domicile. The question as to escheat in Calcutta rests on two grounds, that the law of Calcutta is the common law of England. That Calcutta is part of the territories of the Crown of England. I do not think it necessary to express any opinion, as to whether the common law of England does not extend over the Mofussil on the grounds on which I relied before, and which, with some very slight modifications, I now repeat. I stated in my former judgment, that I thought it could not now be questioned, that all acquisitions of territory made by arms or by treaty, by the subjects of the realm, do of right belong to the state, and that, necessarily, the sovereignty of the British Crown and legislature extends to all such acquisitions by the East India Company at the period at which they are made. From the period of the grant in 1765, of the Dewanny of Bengal, Behar, and Orissa, including the administration of the public revenue and of civil justice, with the whole of the powers exercised by the soubah under the Mogul constitution, it may be said that these provinces became the territories of the King of England, on the principle laid down by Lord Tenterden in Doe on the claims of Thomas v. Acklam, 2 B. and Cresswell, 796, that a relinquishment of a government of the territory is a relinquishment of authority over the inhabitants of that territory. From this period, as has been accurately stated by the late Mr. Harrington, a most distinguished Civil servant, and at the time the Chief Judge of the Sudder Dewanny, the Civil and Military power of the country with the resources for main-



taining it were transferred to the East India Company, and through their means to the British Empire. It is true, that it was not until 1772, that the Company themselves stood forth as Dewan; but in that year in consequence of orders from the Court of Directors, the office of Naib Dewan was abolished, and the internal Government of the provinces was committed to British agency. In 1773 the British Parliament after a long and laborious investigation into the whole state and condition of these provinces passed an act by which they regulated and provided for the whole Civil and Military Government of this Presidency, and empowered the King to grant a charter for the establishment of a Court here, having as to British subjects jurisdiction throughout these provinces. The King, by the charter granted in the following year, created the judges of this Court justices and conservators of the peace throughout Bengal, Behar, and Orissa. The writs issued by the Court were to be in the King's name, and the Sheriff was empowered to execute those writs throughout the provinces. Whatever may be said of the time anterior to this as to the empyrean sovereignty of the Mogul, brought down as Sir William Scott observed in 1800, from the clouds, as it were for purposes of policy, and which hardly existed otherwise than that as a phantom. I am of opinion, that from this period at least, the territorial acquisitions of the Company in India, though permitted to remain in the possession, and under the Government of the United Company, were part and parcel of the dominions of the King of England, and that the interference of the legislature and the King in the Civil and Military Government of the provinces, is the strongest assertion that can be made of undoubted sovereignty of the Crown of the United Kingdom over the same. I think if it is conceded that from the period I have mentioned, the King of Great Britain held the British possessions in India in right of sovereignty, that it will be exceedingly difficult to find any satisfactory reason for saying, that after that period an alien could acquire a permanent property in land in the Mofussil on the general principle stated by Blackstone, that if he could, he must owe an allegiance equally permanent with that property to the King of England, which would be inconsistent with that due to his own liege Lord. I cannot see any solid grounds upon which in this state of things it can be said that the law of alienage extends to Calcutta and not to

the provinces. Upon a question submitted for the opinion of the Attorney Genl. Norton in 1764, whether the subjects of the Crowns of France and Spain, who remained in the ceded countries in America after the peace of 1763, were aliens or subjects; the Attorney General after expressing an opinion that such persons were not to be considered in the light of aliens, added, "but I think that no aliens except such as can claim the benefit of the definitive treaty, or bring themselves within the 7th of his late Majesty, are by law entitled to purchase lands for their own benefit, and transmit them to others either from the Crown or from private persons in any of his Majesty's dominions in North America or in the West Indies." At the time that opinion was given, in 1764, there were dominions in the West Indies acquired by the Crown in every possible way; some by conquest, some by treaty, and some taken possession of when uninhabited. The opinion expressed by Sir Fletcher Norton was, according to my opinion, applicable here from the moment these provinces became part of the dominions of the Crown. In all cases of conquest the previous aliens became subjects of the Crown, and, of course, are virtually naturalized by the act and operation of law.—Upon this view of the subject it does seem to me clearly established that aliens cannot hold lands in the Mofussil.—When this case was last before the Court, Sir Charles Grey stated, that, in his opinion, the lands in Calcutta stood in a totally different situation from those in the Mofussil, and he rested this distinction mainly, as he contended, on the different footing at the time of the testator's death on which all questions connected with the sovereignty of the Crown stood as applicable to the Mofussil and to the town of Calcutta. I endeavoured to shew then, in the same manner as I have done now, that as far as regards the sovereignty of the Crown, for the period I have named, no such distinction can be made. I am aware however, that it may be contended that although on the principle I have stated, it may seem clear that an alien cannot hold land or devise by will, that the incapacity to hold does not of itself decide, that the escheat must be to the Crown, and that such right only exists in the King's dominions, where the common law of England is introduced. Now, if it follows, as I have endeavoured to shew, that the Crown, for the protection of its sovereignty, has a right to prevent the holding of lands by an alien,



it seems to me, that independently of any general introduction of English law, the right of prevention implies that the lands must escheat to the Crown: for in what other mode can the prevention take place? The Company, as I have shewn, can only, as British subjects, acquire territory for the Crown, and their right to the possession of lands forfeited for the non-payment of revenue, is only incidental to their possession of the Dewanny, which the Crown has permitted the Company to hold for a limited time. In no other way, therefore, as it seems to me, can effect be given to this incident of sovereignty than by holding that the lands escheat to the Crown.—I need hardly add that I entirely agree in the very clear and satisfactory manner in which Mr. Justice Malkin has treated this part of the argument. The Court now agreeing in the view I took of this question, we decree that the lands and houses which belonged to the testator, at the time of his death, and which are situated out of the local limits of Calcutta, did not pass by the will of the testator. Further than this, we do not think it necessary (on the principle adopted in the former decree) to make any declaration of the right to those houses and lands.—The sums reported by the Master to arise from the lands in the Mofussil, will be placed to a separate account, to which any application that may be made to the Court, on behalf of the Crown, and receiver will continue to receive the rents and profits as they shall accrue.—The next point arising on the Master's report, and which has been argued at the bar, is as to the allowance of interest on the sum set apart for the building of Constantia house. We are clearly of opinion, that it was not the intention of the testator that that sum should carry interest, and no interest, therefore, can be allowed. Another question arises upon the legacy of 4,000 rupees, directed to be paid for the liberation, annually, of prisoners at Lucknow, and which bequest the decree of 1832, declared to be void. The next of kin have claimed this legacy, and argued, that it cannot, on the authority of Skrine and Northcote 1, Sowston Reports, fall into the residue. The principle, involved in this question, was argued at great length on some of the former hearings, and all the cases bearing upon it were then cited. The principle established in all the cases on this subject, is clearly this, that where the testator's view is confined to the sole purpose of establishing and supporting a particular

charity which cannot take effect: the particular mode will be considered as of the essence of the bequest, and the Court of Chancery will not apply the funds bequeathed to any other charitable purposes, but the legacy will be void. The first clause of the testator's will expressly shows his intention to apply, after the payment of legacies, the residue of his fund to general charitable purposes.—I was at the former hearing, and am still of opinion, on the authority of Mills and Farmer, 1 Merivile, and Leake and Robison, 2 Merivile 393, that this legacy falls into the residue, and must be disposed of with the residue according to the decree of 1832.—I have now noticed all the points that arose upon the Master's Report, and to which the attention of the Court were directed by the Counsel at the bar.—It is true, that the Counsel for the next of kin did argue at some length on matters on which the Court had already decreed. I expressed at the time, my opinion of the inutility of all such argument, to say nothing of their inconsistency. A decree drawn up, passed and entered, cannot, on further direction, or by petition, or by any other bill, or in any way, be revised, altered, or explained, except on a re-hearing. 2, Madd. 454—This is well known and established law, and it is the only notice I think it necessary to take of that part of the argument of Counsel which went to impeach the validity of former decrees.—The same answer might be given to what did fall from the junior Counsel, Mr. W. Grant, for the next of kin, but which was repudiated by his leader, Mr. Osborne; namely, that the suit could not proceed from the want of parties, neither the executor nor their representatives being before the Court. I expressly called upon the Counsel for all the persons before the Court, to know whether they took any objection to the case proceeding for want of parties. The Counsel declared they did not, and what may have fallen from Mr. Grant, unauthorised and disavowed by his leader, I cannot notice. But this point, though not taken by the parties before the Court, has been observed upon at considerable length by one of the learned Judges, and has been with him a sufficient reason for taking no further part in these proceedings. I am bound, therefore, to notice what I should otherwise certainly have passed over in silence.—My first, and, I think, decisive answer to this objection, is that to which I have already alluded. The Court has decreed that it can proceed without calling the ex-



ecutors again before the Court; that decree can only be reversed on a re-hearing; none of the parties before the Court have either sought or desired a re-hearing on that ground. The Court cannot, of itself, direct a re-hearing contrary to the wishes of all parties before it, and all that the Court in such a case could do, would be to stay its hands and proceed no further. This, I for one, if I felt the force of this objection to be infinitely greater than I do, I am not prepared to do. For some fourteen years the proceedings have been continued in the suits with the same defect as to parties.—large sums have been paid under the decrees and interlocutory orders that have been made,—a vast expense has been incurred in the costs of the different proceedings. The City of Lyons received five lacs, the arrears of interest, &c., after the decree of 1822. The decree of October, 1832, with the same want of parties, has established the school, and appropriated 8 lacs of rupees to its use. The decree of Feb. 1832, has led to extensive enquiries in the Master's office, of which we have now the report before us. At the time that decree was made, the then Chief Justice delivered at great length the judgment of the Court, in which he declared for the court, that though the executors were liable the Court would not, on that account, stay its hands in proceeding to decree, feeling, as we then did, the great intricacy and difficulties of the case, knowing well the position in which the Court had been placed by former proceedings, and deliberately satisfying ourselves that the best and wisest course was to proceed with the case.—The Court thought then, as I think now, that nothing but some legislative provision could free this case from the technical difficulties which surround it; but we thought, as I still think, that we have done substantial justice to all the parties before us, and that in interpreting a will of no common intricacy and obscurity, we have followed out what was the intention of the testator, and have done substantial justice to all who were the objects of his benevolence.—I am now about to read that which the learned Judge has pronounced to be waste paper, viz., the decree in this case; and, before, I do so, the learned Judge must excuse me if I observe, that I think the designation he has been pleased to give to the solemn acts of this Court, is expressed in language stronger than any occasion can warrant.—(To be continued.)

June 29, 1836.—In the matter of *James Cullen, an Insolvent, on the Petition of Appeal by Davidson and Donald Macallum, Executors of Donald Macintyre, deceased.*—Mr. Leith opened the petition of the executors of Mr. Macintyre, Robert Davidson, and Donald Macallum, and read the first order bearing date the 11th January, 1834, of the Insolvent Court, which was, that Mr. Macintyre should be at liberty to take a commission of 4 per cent. on all declared dividends, &c.—Read the order of the 6th September 1834, by which the special assignee was allowed, by the order, to defer sale of ships, lands, and factories, for a year, unless the price offered was such as in the judgment of the estate could be accepted to the benefit of the estate, with liberty to advance money by mortgage, for the purpose of carrying on the factories.—Order of 23d January was an application by Mr. Macintyre, for leave to proceed to sea, and for his discharge from the management of the estate. He had filed his accounts down to the month of January, in which he made the application. The estate probably realized was estimated at one crore and 11 lacs of rupees.—He stated he had been unable to dispose of the greater portion of the indigo factories; a list of the property was filed, and an estimate of the probable outlay for the ensuing season. There were 7,800 maunds of indigo on hand; cash balance on hand two lacs, and upwards.—Order of 23d January 1836, ordering the indentures from Mr. O'Hanlon, common assignee, to Mr. Macintyre, to be cancelled.—Read the report of the committee bearing date 6th February 1836, approved of by the meeting, and recommending that the expenses of Mr. Macintyre should be defrayed out of the estate, he giving up his commission of four per cent; the report stated that no remuneration had been paid. The order of reference to Mr. Macnaghten. Read the report of Mr. Macnaghten of the 1st March 1836, dismissing the petition of Mr. Macintyre. The executors of Mr. Macintyre presented their petition under the 4th Section of the Insolvent Act. Read the 4th Section of the Insolvent Act.—And be it further enacted, that it shall be lawful for any person who shall think himself aggrieved by any adjudication, order, or proceeding of any such Court for the relief of insolvent debtors, to present, within one calendar month thereafter, a petition to the Supreme Court of



Judicature of the Presidency where such Court shall be holden, &c., &c."—Mr. Clarke.—May it please your Lordships you have now before you the statement contained in the petition: I submit that under the 4th section they have no right to be heard. Justice Grant.—For whom do you appear. Mr. Clarke.—I appear for Mr. Dickens, trustee for infant creditors. This is the first time that an appeal has been made by the executors of an assignee, and I submit that under the 4th section they cannot be heard. In the latter part of this section, the Court is directed to inquire into the matter of the petition, and of such proceedings and evidence, and shall make such order thereon as to the Court shall seem meet and just; and shall thereby direct by whom and in what manner the costs of such petition, and of the proceedings, which shall have been had thereon, and of the taking down of any such evidence in writing, and of the proceedings of which such complaint shall have been made; shall be paid. Now, they appeal from the order of the 5th of March 1836, which merely dismisses Mr. Macintyre's petition; how can the executors feel themselves aggrieved under that order, which merely dismisses the petition of their testator? If the order had directed payments out of his estate, this might have presented some ground of appeal; but this—Justice Grant.—What is the prayer of Mr. Macintyre's petition? Mr. Leith.—That he may be discharged from being assignee, and may be allowed such monthly allowances for his services, during the period in which he was assignee, as may be deemed, fit, just, and proper, and that the charge of the establishment since the date of the insolvency, may be allowed to continue as a charge and at the debit of the said estate. Mr. Clarke.—That makes the case stronger.—The order makes no charge upon his estate: it may be the foundation for a charge; had an order been made by the Court, charging his estate, it might have been different. The Court is empowered to direct by whom the costs shall be paid; under this we are, if the Court shall decide with us, entitled to have the costs of the present proceedings, and the costs of the proceedings below. The petitioners are not subject to the insolvent Court,—they are not parties in any of the proceedings below,—they are not creditors; the Court, I submit, has no power to make an order for costs, as against them; they appear here merely as executors of an estate. If the Court has

power to make an order against them for the proceedings, in the court above, it certainly can make no such order for the costs of the proceedings in the Court below, to which they were not parties; they are only responsible to the Court above, as far as the estate of Mr. Macintyre will go. Now, suppose his estate is insolvent, the Court cannot award costs against them; we have no security, therefore, for our costs, in the event of the Court deciding in our favor, and they ought not to be heard. Mr. Turton.—"Mr. Clarke by reading the prayer of the petition, has answered himself." The learned Counsel was proceeding to argue for the petitioners, but was stopped by the Chief Justice.—We entertain no doubt, Mr. Turton, as to the right of these parties to appeal. As to the costs, we have no difficulty, for, if we make an order, we have power to carry it into effect.—Mr. Turton then opened the case on the part of the petitioners.—Without going through all the circumstances of the case, it is sufficient to inform the Court, that Mr. Macintyre was, in February 7th, 1834, appointed assignee, with a remuneration for his services of 4 per cent on all dividends. After two years service as assignee, he dies before a dividend is made. The question is, whether he shall be permitted to charge the estate with the expenses of the management, and whether, being permitted to use the funds of the estate for carrying on the estate, he shall be permitted to have his expenses saddled on the estate. I am not surprised that the executors should think themselves aggrieved. No person will contend that a dividend could have been made before Mr. Macintyre's death and if it could have been made, as it since has, of 5 per cent, his commission could not have been sufficient to have paid his expenses, laid out in the management. The point is, is Mr. Macintyre entitled to charge anything whatever on the estate? It has been attempted to apply the doctrine respecting the wages of seamen, as analogous to this case. It does not apply; and if it did, it makes for the claim of the petitioners. A sailor, if he dies on a voyage, gets his wages up to the time of his death.—If, by the act of God, he is sick during the whole voyage, he is entitled to his wages on completing the voyage. The safety of the ship is the ground on which the sailor is paid: but that does not apply here; if the estate were wrecked, it might be different; the rule depends upon the safety of the thing, and not on



the safety of the individual. The real object of the rule was the encouragement of commerce. The safety of the ship was the mother of freight, and freight was the mother of wages. I think it never can be contended by any one, that the expenditure whatever it was, was to come out of the pocket of the assignee. If this were to be the case, no person could be appointed, who was not rich enough to pay the whole expenses, and carry on the estate, until a dividend could be made, and if he should die before the whole of his advances are to be lost. I do not understand that there is even a pretence, that such should be the case; if so, after the first or second dividends, by far the largest, he would be enabled to resign, he might say, I have laid out my money for the best return, the best share of the estate is gotten in, and what remains may wind itself up as it can. It is now to be considered what is to be done when the intentions of the two contracting parties, the assignee and the creditors, are frustrated by the act of God. I say nothing of two years hard work, and some abuse, which has been lavished on Mr. Macintyre, and that at a time and in a place when he could not meet it. He has been abused for shipping indigo to England: the turn out of the sales at home, has exceeded, by £8,000 sterling, the estimated value put by Mr. Macintyre on the indigo here. He has been abused for mis-management. An assignee is very frequently left to the discretionary exercise of his judgment, and the human intellect is not infallible. Chief Justice.—All this matter as to the management of the estate we shall not enter into: the question is, what construction we ought to put on the order of the 11th of January 1831. Here, the learned Judge asked for the order of the 6th February 1834, by which the assignee was allowed to defer the sale of property for a year, and to raise money by mortgage for the carrying on the factories. Mr. Justice Malkin.—The production of this order is material. Supposing I was right, that the party was bound by his contract: and that, because he derived not the benefit he expected, he should not, therefore, be allowed to rescind it. But if under this order of Court, a new course of dealing was entered into, and he then became exposed to greater expenses, that might make a difference in the decision of the Court, as to the question of remuneration. Mr. Turton handed up the order of the 6th February, 1834. Mr. Clarke objected to its being read,

the order was not before the Court below, and, I submit, the Court ought to take only those proceedings before the Court below. They have no right to read it here, or to insert it in their petition: it is only on those grounds before the Court below, on which the order, now appealed against, was made, that the Court here can reverse, or determine upon that order. Mr. Turton.—My Lord, the order of January, 1834, was made in consequence of a meeting of creditors directed by the Court, who recommended 1,200 rupees a month to be allowed out of the estate, to the insolvents, and 4 per cent. commission on all dividends to the assignee. This order was then made in pursuance of the recommendation of creditors; I consider that it never would have been intended, but that the salary to Mr. Browne and Mr. Cullen, should be paid monthly; but it was never intended that if the act of God should intervene, the assignee should pay the salary out of his own funds. The act of God has intervened. It is utterly impossible we should be charged under this order with interest on money expended, in carrying on the establishment. It is sufficient for the man to give up his remuneration, as he could not fulfil his contract, but he should not be called on to bear losses or expenses incurred in the management of the estate. Justice Malkin.—Suppose after winding up the estate, the commission on the dividend would not have been sufficient to satisfy the sum expended by the assignee? Mr. Turton.—He is not responsible for what he has properly expended on the estate. The whole contract is at an end by the act of God. He has not earned his remuneration, but he is not responsible for what he has fairly and duly expended; that is my objection to the order. He ought to have been wholly absolved or not discharged at all by the order. Justice Malkin.—There were several orders;—the first petition prayed his discharge, the second prayed to charge the estate with his expenses. Chief Justice.—I recollect that on the first petition I was very unwilling to make the order, but health required he should go to sea. Justice Grant.—I think you are entitled to consider his illness which necessitates his going to sea, as the act of God. Mr. Turton.—I have always considered that there is no substantial difference between the act of God, which incapacitates from duty and the act of God which destroys. Suppose he had recovered, would he have been entitled to resume the management and complete a dividend? I consider



the whole contract as void on both sides, consideration having totally failed. Justice Malkin.—The assignee would not have been discharged, but for the fact of his life having been in danger. Mr. Turton.—Justice Grant discharged Mr. Burkinyoung under similar circumstances. Mr. Macintyre's estate is entitled to be defrayed the sums expended by Mr. Macintyre in the management of the Insolvent estate.—Mr. Leith, who appeared with Mr. Turton for the petitioners.—This is an application from a Court of Equity to a Court of Equity, and the rules of equity will be those by which the Court will regulate its decision, the order of the 6th February, 1834, orders that the assignee be allowed to pay the expenses of carrying on the estate out of the estate. His own remuneration to be paid out of a commission when a dividend shall be made; no dividend had been made by Mr. Macintyre, and no commission received by him. The period of making a dividend was postponed by Mr. Macintyre himself by his laying out assets to come to hand, in the redemption of mortgages on the estate, which course he deemed would be for the ultimate benefit of the Insolvent estate. Were he an assignee under the bankruptcy acts at home, he would be allowed to charge the estate for his services; this depends on no particular claim, but on the general principle which governs matters in bankruptcy. Mr. Macintyre is not to be charged personally, he having delayed his own remuneration for the benefit of the estate, and by the act of God subsequently intervening, the dividend out of which his remuneration was to accrue, not having been made, the report of the committee recommended Mr. Macintyre's expenses be deposited out of the estate, Mr. M. giving up his 4 per cent. commission. Application was made to the Court by Mr. Macintyre in the terms of the report. Here, therefore, is a report made by a committee assembled under an order of the Insolvent Court, and an application by the assignee in the terms of the report. Justice Malkin.—This case has nothing to do with the matter; the question for the Court is, was he bound by his contract? Mr. Leith.—Then, my lord, I submit that this order must be taken to be wholly inoperative. Chief Justice.—That may be Mr. Leith; the question turns upon the order against which you appeal. I, myself, I believe made the other order (laughter). Mr. Leith.—Oh, my lord, I did not mean to say your Lordship made a bad order, my assertion

was only what in law we call a "remote possibility." The order of the 6th Sept. 1834, gives the assignee power to postpone sales, to raise money on mortgage for carrying on the factories, &c., this order sanctions his paying himself. It says the second assignee shall be at liberty to advance money as he had already done, confirming him in the power to apply the funds of the estate for the purposes of the estate. It is impossible from this to suppose, that he ever meant to charge himself with the expenses of the estate, with the prospect of being paid by a commission on a dividend, when such dividend should be made. But if the estate should have turned out so badly, as not to allow of a dividend, a Court of Equity would have compelled Mr. Macintyre to defray, out of his own estate the expenses incurred by him in winding up the estate. The contracting parties can be put in the same condition, in which they stood previously to the contract. Indeed, the estate is better off, than before Mr. Macintyre undertook charge of it, the act of God prevented him from getting his remuneration, the one party (the creditors) therefore can be put not only in the same condition they held previously to the contract with Macintyre, but even in a better, for they have had an assignee for two years for nothing and a dividend is now made in consequence of the unremitting exertions of Mr. Macintyre. He is deprived, by the act of God of his remuneration, he ought not to be deprived by the Court of his equitable claims on the estate. To do justice to both parties, the Court should allow Mr. Macintyre his expenses. The assignees of the other Insolvent estate have received under orders of the Insolvent Court a monthly allowance. Chief Justice.—Not so; some have had commission, some a salary. Mr. Leith.—To resume; the order of the 6th Feb. 1834, allowed the assignee to advance money for the general purposes of trade out of the assets which came to hand he had them for the sanction of the Court, under the second order for the outlay of monies. Justice Malkin.—He was allowed by this order to do exactly what he had done before, under the first order with such assets as came to hand. Mr. Leith.—On the general principles which obtain in bankruptcy, he was entitled to charge his remuneration. Justice Malkin.—The assignee in bankruptcy, until the last Bankrupt Act, had no remuneration for his services, and an assignee in England has no opportunity of making such a bargain as Mr. Mac-



Macintyre has made. Mr. Leith. — Then suppose that Mr. Macintyre for a future, uncertain and unexecuted consideration had undertaken to pay office rent, and to defray accruing expenses, the consideration remaining unexecuted, would a Court of Equity allow him to be the loser? The Court must put the parties in the same condition in which they stood previously to the contract. Justice Malkin. — You cannot now put the part in the same state in which they were before the contract. You cannot make the present assignee go on the same terms with Mr. Macintyre; he has a right to make a fresh bargain. Mr. Leith. — This is not the case of a person being able to complete his contract; and who says let me off, I don't like my bargain. Here the contract is put an end to. Mr. Clarke (for the trustee of opposing creditors.) — Mr. Turton commenced with stating that remuneration was now abandoned, and that the question was, whether Mr. Macintyre was to replace in the funds of the estate, such sums as he took out for the purposes of carrying on the management. I admit that considerable sums of money must be advanced; but not that the assignee should not be called upon to pay the money so advanced back to the estate out of his own funds. The simple question is — has there been a bargain? and can they get it aside? and then comes the question, does the assignee deserve anything whatever from the estate? Justice Grant. — The difficulty is, whether the bargain has not been set aside by a power infinitely greater than that of the Court. Mr. Clarke. — If the Court shall go into the question of management, and whether there has or has not been mismanagement, I will go into the whole course of management of the estate by Mr. Macintyre, the whole matter shall be brought before the Court. — Mr. Turton contends that there is no similarity between the cases of the sailor and of the assignee. I liken the dividend to the freight; the contract with the assignee is, you shall take your wages out of the dividend; the contract with the sailor is, you shall take your wages out of the freight; no dividend therefore, in commission to the assignee, no freight earned, no wages to the sailor. — Mr. Turton has also contended that, if the act of God prevented the completion of the contract, the party so prevented is not entitled to remuneration, but is not to be put in a worse condition than before he entered into the contract. Justice Grant. — Is it not a condition of all contracts that the party shall live to com-

plete them? Mr. Clarke. — No, my Lord. Suppose a round sum of money had been given to Mr. Macintyre to wind up the estate, and he had died before winding up, must his executors refund? I contend not, he must give his services as long as he can, but if he cannot go on, no claim survives to the creditors against his executors. The order of the Court below actually excludes Mr. Macintyre from his claim to remuneration; another point is then taken by my friends, whether the first order is not extended by the order of the 6th September, 1834. I submit this last order cannot be produced. It was not used before the Court below. Your Lordships here are to determine only on the proceedings put in the Court below. The words of the 4th section of the act are these: — "It shall be lawful for the Court or Judge, to whom the petition of appeal shall be presented, to order that the whole of the evidence, if any, which shall have been so taken down in writing as aforesaid, and the minutes and records of proceedings, of which complaint shall have been made shall be brought before it." — If your Lordships let in new matter, I will ask if it is not a new trial, and so new matter of all sorts may be introduced. This is a substantial and distinct order, and was not urged upon the Court below, and cannot now be produced to influence this Court's determination on the decision of the Court below. Justice Grant. — There is no doubt about the rule, you cannot bring new evidence before the Court of Appeal. Mr. Clarke. — Why are we to be brought here then, at all the expense of an appeal, and to have new matter produced, which, had it been produced to the Court below, would possibly have produced a different order, and have so rendered this appeal unnecessary? I, therefore, ask the Court whether they now receive that order of the 6th February, 1834. Mr. Turton. — I submit that my friend is not entitled to stop in his argument, and to take the opinion of the Court on this point without my being heard. Chief Justice. — Yes, of course, you must be heard upon the reception of this order by the Court. — Mr. Turton. — Well, then, I submit, that the whole proceedings in the cause, at the time of the appointment of the assignee, are before the Court, and we are, therefore entitled to have it in. Mr. Clarke. — This order was not about the appointment of the assignee, and if every thing used in argument by Counsel, is to be considered a proceeding before the Court what a mass of things would your Lord-



ships have now before you. We have it now before the Court, for my friend has embodied it in his petition. But if the argument of Mr. Turton go for anything what will be the consequences? The parties must come into the Court of Appeal perfectly ignorant of what they respectively bring into Court; as they must have every order and proceeding which ever took place in the matter of the Insolvency in the Insolvent Court, brought here at an enormous expense, I submit your Lordships have not the power to receive this order; the 4th section of the act regulates what the Court may receive. Chief Justice.—

We are of opinion that this order cannot be read—this point has been expressly decided in this Court, when Sir W. Russell presided on a similar appeal from the Insolvent Court. If we are to have this order before the Court, we must have every order which was ever made in the matter in the Insolvent Court; we decide, therefore, it cannot be read. Mr. Clarke.—Then that saves a good deal of argument with which I should have troubled the Court. As to the doctrine laid down by Mr. Leith, that under 1 and 2, 4 William, cap. 56, the assignee would have a right to his remuneration in matters of bankruptcy, and the analogy attempted to be set up by my friend; I will call your attention to the case *ex parte Bray* 1st, Rose 144, there is an express direction under this act of the 1st and 2d, 4 William, c. 56, for the remuneration of the assignee in bankruptcy, but there is no such direction in the Indian Insolvent Act. The Court of Bankruptcy require the authority of Parliament, before they assume the right to decide on the remuneration of their assignees. The Insolvent Court here would require the same high authority.

They have no such authority, and have no authority or right whatever to make any order respecting the remuneration of an assignee of an Insolvent estate. He has nothing here to stand upon, but his bargain, and in the absence of the authority of the legislature, the Court ought to take upon itself, to give remuneration to Mr. Macintyre. The report of the Committee has been laid stress upon by my friends, they divided, I think, 7 to 5, and were, therefore, a very limited number. This proceeding, therefore, of the few, ought not to weigh with your Lordships, to rescind a contract entered into with the assignee, with the consent of the general body of the creditors at the first meeting. By the order of the 11th Jan. 1836, made upon Mr. Macintyre's own

petition, he prays that the recommendation of the creditors be set aside, and I submit that both parties are therefore bound. I submit that the Court cannot go further than a Court of Equity will go. Here there is no hardship, but if there were hardship in the case, I say it down broadly, that hardship is no ground in equity to set aside a contract. Here is Mr. Macintyre, a person conversant with insolvent estates, experienced in business, and it is ridiculous to argue that Mr. Macintyre did not know what he was about; he was a candidate for the situation of assignee, there were many other candidates, and much canvassing took place. He was successful, and the bargain was made for him at the meeting. He acceded to the bargain, and from it he cannot recede; there is no ground either of hardship, fraud, or surprise. Mr. Macintyre entered into the contract with his eyes open, and must be bound by it. Suppose the bargain had turned advantageously for the assignee, it was the general opinion a short time before the insolvency, that the estate would pay 18 annas. Mr. Macintyre, had the estate wound up as it was anticipated, would have realized between 3 and 4 lacs as his commission on the dividends. This, I presume, would have afforded to the creditors a ground of application to this Court to set aside the contract with the assignee, on the ground of hardship to them; would the Court set aside the contract on this ground, that the bargain had turned out better for Mr. Macintyre than was anticipated? This is the converse of the proposition. I submit that this Court has not an arbitrary authority to allow any given rate of interest to the assignees. My friends are investing this Court with an authority not given them by the Act of Parliament. I will now shew not only there is no hardship, but that the loss, if any to Mr. Macintyre, has arisen out of his own negligence. Chief Justice.—You must argue this on the supposition that Mr. Macintyre is a meritorious assignee, and the question is, whether as such he is entitled to remuneration. Justice Mackin.—I thought he was bound by his contract, whatever might have been his conduct as assignee, and I would not, therefore, allow the other side to go into the facts of the management. I thought it unnecessary. Mr. Clarke.—It has been considered that 4 per cent. is a large commission on the dividends; but if the Court allows the sum of 92,000 rupees asked for by Mr. Macintyre, it will add to the commission allowed to Mr. Holroyd, supposing the turn out to be



—rupees, it would be saddling the estate with a commission of 7 instead of 4 per cent. Justice Malkin.—If the Court decides that Mr. Macintyre is entitled to his 55,000 rupees expenses, the order for a commission of 4 per cent. to Mr. Holroyd can easily be altered. Mr. Clarke.—The order has been made, and Mr. Holroyd has acted under it, and it would be a question whether the Court would alter the rate of remuneration to a meritorious and active assignee, no charge or ground of dissatisfaction appearing against him.—Mr. Tutton replied to Mr. Clarke, and the Court gave judgment. Chief Justice.—There is a difference of opinion on the bench, which I regret. I do not give my judgment with the same confidence I otherwise should, when I find it opposed to that of the learned judge who decided the case in the Court below. The learned judge refused to entertain the petition of Mr. Macintyre; he thought himself precluded by the order of 7th Jan. 1834. The first question is the construction to be put by the Court on the order. Had the party been still alive, he must have abided by the order. And had his commission on the dividends proved insufficient to remunerate him for his services and outlay, he could not have got more. That is Mr. Tutton's argument, and I think it is the proper construction to put upon the order. I, myself, made the order, and that certainly was my intention in framing it. I should say, had he lived, he would have been entitled only to commission. If the only question were, as to the construction to be put on the order, the learned judge, who decided in the Court below, was, in my opinion, right. But there is another point. Mr. Clarke has argued, that this is a bargain between the assignee and the creditors. I think it is no such thing: It would be impossible to carry into effect the Insolvent Act, if we had not the power to give remuneration to the assignee. The creditors cannot bind the assignee, their consent was only a matter of evidence to guide the Court in fixing the amount of remuneration. The Court has done as, I think, they have the power to do. The Court in the exercise of its equitable jurisdiction, has the power to consider this order, looking at all the circumstances of the case, and to alter it, if it shall see proper so to do. We are bound to take Mr. Macintyre as a meritorious assignee. He dies before his remuneration accrues. I shall consider the question, as to whether he is or is not entitled to remuneration. The or-

der is the act of the Court; and not a bargain between the parties; they have a right to alter the order if the circumstances require it. The presiding Judge in the Court below must review the whole matter. The only order we shall make is;—that the order dismissing the petition be discharged. That will give the parties an opportunity of coming before the Insolvent Court, and shewing all the circumstances under which Mr. Macintyre may be entitled to remuneration. Each party must pay his own costs. The learned Judge has put the right construction on the order itself; but I think the Court ought to entertain the question. Justice Grant concurs in the foregoing judgment.—The meaning of the order is quite clear. The assignee was to get no commission until dividends were payable, out of that commission the charges were first to be paid, and what remained was his own remuneration. The nature of the estate to be managed, and the nature of the charges must be taken into consideration. The majority of creditors cannot bind the minority; but the Court has been in the habit of taking the opinion of the majority, as evidence reasonable and practicable, but the Court is not bound by it. The learned Judge then went into the account of the property, the debits and credits. The first years must necessarily be the years in which the greatest outlay takes place, the latter years the period in which remuneration can be anticipated. The order, therefore, contemplated, that the assignee should remain in office, until the winding up of the estate. The order, if held to bind the assignee, would be in the nature of a wages, which I cannot consider it, as between the Court and the officer, the contract, if contract there was, was put an end to by the death of the assignee. An assignee is, as to this matter, the officer of the Court. No man is to make a profit by another man's loss. The creditors who oppose this, contend *de lucro captando*; the executors of the assignee, on the other hand, contend strictly, *de damno vitando*. There can be no doubt which of those parties equity will assist. We are interpreting an order of a Court of Justice, appointing its own officer, and his remuneration, in such a manner as to excite in him the greatest activity; but I cannot suppose that the Court contemplated to make a bargain with its officer, in the nature of a wages, and I cannot hold that it is equitable, that the creditors are to make a gain at the ex-



pense of a man's family, and, at the risk, perhaps, of reducing them to beggary. Justice Malkin.—This appeal is allowed upon grounds very different from those upon which I made the decision—upon grounds likely to lead to uncertainty, mischief, and expense, overhauling and upsetting arrangements, made at a considerable time after it. I agree with the construction put upon the order by the Chief Justice. I hold that it is in the nature of a wages, one party plays a game, wherein he puts the contingency of his own life against the chance of a large remuneration. The argument, of the act of God, cannot apply. I am not prepared to abandon the construction, I put upon the order. This decision will lead to a completely new practice in the Insolvent Court. In each of the cases mentioned by the Chief Justice, where alterations have been made in the arrangements with assignees, as to their remuneration, they were alterations after the period, for which the arrangements had to run. Mr. Leith argued that an assignee would have a right to apply for relief, on the winding up of the estate, if there was an insufficient out-turn of the estate, and there were no funds left for the payment of his expenses in managing the estate. If the orders of the Court are thus to be overhauled, and altered for the benefit of the assignee, I presume the same operation may take place for the benefit of the creditors, and they also have a right to come in and change the order, and the rate of remuneration to the assignee. The result of the present decision goes the length that, whatever orders are originally made in the first instance, they, in the end, are to go for nothing, as they may be varied, altered, or totally changed, according to circumstances, and the turn-out of the estate.—I am not clear that the Court has any right.—*Englishman*.

INSOLVENT COURT, July 16.

*In the Matter of John Palmer, &c.*—*Mr. C. B. Palmer's Application for Final Discharge.*—Mr. Justice Malkin.—It may seem hardly necessary in granting a motion, which after the proceedings adopted in the case of Messrs W. and G. Prinsep, has become a motion of course, to enter into any discussion of my reason for the course adopted. But the question, involved in these cases, is so material for the decision of others, which may arise hereafter, not, probably, under exactly similar circumstances, but involving the same doubt what items of misconduct exclude from the benefit of the 63d section of the Insolvent Act,

and the first section of the 4 and 5, W. IV. c. 97, and there is, therefore, so much probability that the opinion I entertain may come under review, that I think it expedient to explain fully and accurately the extent to which it goes, and the grounds on which it is founded. Having objected to act upon it in the first instance, I then merely intimated its general inclination, without any full declaration of its reasons: and in the subsequent proceedings, which have obliged me to act upon it, instead of putting the question in a train for decision in the Court above, the matters under discussion have related almost entirely to the course of proceeding, and have not given me the opportunity, unless I had postponed the discharge of the Messrs. Prinsep, for the purpose of explaining myself on the main question.—In doing so, I must treat the present applicant as disclosing, on his schedule, a transaction, I believe in the present instance, only a single one which calls for explanation, which is *prima facie* a breach of trust towards an individual creditor, and, which, therefore, if unexplained, might, at a proper period, have brought him within the provisions of the 58th section of the Insolvent Act. In the course of proceeding adopted, this transaction has received no explanation: and, consequently, as under the sections which give the final discharge, the Court is to be satisfied affirmatively that the insolvent has acted fairly and honestly, he will not be entitled to this discharge without further explanation, unless it is held that misconduct of this nature, even if it exists, is not an answer to his application. The Court ought, I think, to be satisfied affirmatively, that the conduct of Insolvents has been fair and honest from the mere fact of there being no opposition, and nothing either fraudulent or suspicious within its own knowledge; it need not enter into an examination of unquestioned facts for the chance of detecting something erroneous; but it has no right to shut its eyes to the existence of circumstances calling for enquiry, and if these exist, it must institute the enquiry, if the result is material. The great difference between the penal sections (the 57th and 58th) and the sections giving the final discharge, is this that for the purposes of each, wherever a doubtful transaction appears, explanation is required, but that on the result of that explanation the Court, in postponing the common discharge, must have ascertained the guilt; in granting the final



discharge it must be satisfied of the innocence of the party.—It seems, however, to me that misconduct which could bring an insolvent within the scope of the 58th section, does not furnish any answer to his application for final discharge. The 57th and 58th sections constitute two clauses of misconduct, each of which subjects the insolvents to certain but different penal consequences. The frauds specified in the 57th section are all injurious to the general body of the creditors; and the remedy given is by postponing the discharge of the insolvent from any of his debts, and by leaving him liable to arrest at the suit of any of his creditors. The frauds and wrongs specified in the 58th section are all injurious to individual creditors only: and they are treated as furnishing no objection to his immediate discharge as to the generality of his debts, but his discharge is postponed and he is left liable to arrest at the suit of the particular creditor whom he has wronged or defrauded:—The provisions for final discharge make no such distinction: if the Court is satisfied, "that the insolvent has acted fairly and honestly towards his or her creditors," he is discharged finally from all debts established in the Court: if the Court is not so satisfied, he is discharged from none: so that the question really is whether misconduct in a particular instance is to prevent him from obtaining this relief in all others. The hardship of such a construction cannot more strongly appear than in the particular case now before the Court, in which the effect would be, if Mr. C. B. Palmer could not satisfactorily explain a single transaction of no very large amount, he would be left liable, except as far his person is concerned, to the claims of some thousand creditors, and to an amount exceeding, I believe, £3,000,000 sterling. It is not, however, merely on questions of hardship, that this decision must proceed. But I cannot think that such a construction would give effect to the intention of the statute itself. It is clear, that all the cases provided for in the 58th section, will not prevent the insolvent from obtaining his final discharge: that his being indebted for damages, for adultery, or libel, or malicious trespass, would not impeach the "fairness and honesty" of his conduct, and would therefore furnish no objection to his final discharge. It is not, I think, very likely that different kinds of misconduct, which are classed together for the purpose of modifying his original discharge, should

be intended to have an entirely different operation with respect to the final discharge. Again, all these cases, as well of debts contracted by fraud as by other misconduct, are declared by the 58th section to furnish no objection to the party's obtaining the full benefit of the statute as against all creditors, except the individual injured: and it is not, I think, likely that it was meant to operate to their benefit with respect to the final discharge, when it is clear that they were considered to have no interest in the question with respect to the previous one. It seems to me to be at all events doing less violence to the intentions of the statute to say that even the party aggrieved should lose his remedy by the final discharge, than to say—that the creditors at large, who are declared to be unconcerned in the transaction, should retain theirs by the Court's refusing the final discharge, on the ground of injury to a particular individual. Indeed, I do not know that by the construction I adopt, any violence is done to the intention of the statute, for it might well be considered that the postponement of the original discharge was punishment or remedy sufficient, and that there was no reason for continuing the protection of the particular creditor to an indefinite period. At all events, there is no middle course, and I think the balance of difficulty is decidedly less on the construction I put on the statute than on the other. It seems to me, therefore, that the words, "acting fairly and honestly towards his or her creditors,"—must be understood of the conduct of the insolvent towards the general body of the creditors, offences against whom are made the matter of distinct provisions in the 57th section. The word, creditors, it will be observed, is in the plural number: the expression, therefore, corresponds with that used in the 57th section: not with those used in the 58th, which speaks of "any of the debts" and "any of the creditors." In this manner the general refusal of the final discharge will correspond with the general postponement of the original discharge: not always depending on the fact whether such discharge has been postponed or not, but regulated by similar considerations, and grounded on similar misconduct: misconduct, that is to say, affecting the general interests of the creditors, and in most, if not in all instances, connected with the expectation of insolvency.—The strongest argument that I know against this construction, is, the cir-



circumstance that a case might possibly arise, in which, after the Court had postponed the discharge of the insolvent against a particular creditor, on the ground of fraud, he might place himself, within the period of postponement, in a condition to apply for his final discharge. There would probably, however, be no great difficulty in dealing with such a case, if it arose. But at all events the possible occurrence of a particular inconsistency arising out of the provisions of not a very carefully digested statute, is hardly enough to control its construction; and the difficulty, such as it is, does at all events exist in cases the decision of which would not be affected by it, because the same thing might happen in the case of a discharge postponed on account of libel or trespass, where, as I have already observed, no question of fairness or honesty could be raised.—I have heard it also suggested in a quarter where any intimation of opinion is entitled to the highest consideration, that assuming it to be correct, that a fraud on a particular creditor does not prevent the final discharge on the ground of misconduct towards the individual; yet that a course of dealing irregularly with trust money might be considered as an injury to the general body of the creditors, as enabling parties to carry on business improperly with fictitious funds, and thus to increase the general evil and calamity of their failure. That it might occasionally be misconduct towards the general body of the creditors, as well as towards the individual whose funds are misapplied: I do not dispute; but it does not seem to me to be, in common understanding, an acting unfairly and dishonestly towards them. "The unfairness and dishonesty" is towards the parties defrauded, against whom only, even in cases of intentional fraud, that fraud is directed. But even allowing that the words might fairly be applied, in general construction, to the case of the body of the creditors also, they cannot, I think, be so treated in this statute, in which minute provisions are made for the repressing fraud both towards the general body and the particular creditor; but the sort of injury in question is not provided for in the enumeration of frauds on the general body. It is clear, I think, that the framers of the statute treated such misconduct as acting the particular creditor only, to whom it directly applies, and that they did not intend to make any provisions for the indirect and somewhat speculative injury suggested. This question, however,

though of some importance with respect to the general construction of the statute (and I have, therefore, mentioned it) does not really apply to the particular case now before the Court: for it is impossible to say that the general body of the creditors would be affected; or that the carrying on of the concerns of this enormous estate could have materially depended on the false or fictitious capital introduced into it by the diversion of the single sum which Mr. C. B. Palmer may perhaps have misapplied. There is, therefore, no objection to his discharge.—Note: The trust alluded to in Mr. C. B. Palmer's schedule, is a "Trust for Mrs. J. M. Deverinne," shewing a balance of Rs. 18,487-10—at credit, Mr. C. B. Palmer having been joined in the trust with two of his partners. This arose out of a sum of Rs. 13,125-4—placed in trust on Mrs. Deverinne's marriage in 1827, with the understanding and consent of all parties that it should be held as a cash balance accumulating with interest.—There was no breach of trust in any sense of the word. If the schedules of the two Mr. Prinsep had been examined, it would also have been found that every cash balance under the head of trusts was of the same nature without a single exception.—*Ed.*

*Estate of Alexander and Co.*—In the Insolvent Court, on Saturday, July 16, there were some applications made of a very important description indeed. The first was one on behalf of Josias Dupre Alexander, for an order that the assignees of Alexander and Co., pay to him a dividend, at the rate now declared, on the sum of 15 lakhs and 88,496 rupees, being the amount of his claim on the schedule of the insolvents. The second was a similar application on behalf of Mr. James Alexander, for the sum of 9 lakhs and 81,800 rupees. The third, on behalf of Mr. Henry Alexander, for 5 lakhs and 68,800. And the last on behalf of Mr. Fullarton for 7 lakhs and 21,864 rupees. These are all orders *nil*, and of course no discussion took place.—The applications were accompanied by an affidavit, sworn by Mr. John Abbott, which set forth that the deponent was employed by the late firm of Alexander and Co. from 1842, up to the period of their insolvency, and thereby became well acquainted with their affairs; and that at the periods when Mr. J. Dupre Alexander, Mr. H. Alexander, Mr. J. Alexander, and Mr. Fullarton, severally retired from the firm, he (the deponent) believed it to be in a solvent and prosperous condition, and that he has seen



no reason from any subsequent events to induce him to alter that opinion. There was also an affidavit put in, sworn by Mr. Holroyd, setting forth his belief from an inspection of the books that the firm was in a solvent state when the partners retired; and Mr. Turton was instructed to make a similar declaration on the part of Mr. Hurry.—We give the substance of Mr. Fullarton's affidavit:—Sets forth that he is the constituted attorney of the three other applicants, who were also severally, during different periods of time, partners in the firm of Alexander and Co.;—that Mr. James Alexander departed from this country for England in 1810, without having relinquished his interest in the firm or come to any final settlement with his partners, but that his retirement was subsequently arranged by a correspondence which took place between him and the partners in India, in 1814-15, and that the same took effect from 30th April 1813, when he Mr. Fullarton, became a partner, agreeing to release Mr. James Alexander from any further risk or responsibility on account of the debts and concerns then outstanding, on consideration of a certain payment of money to be debited to his account, and of his agreeing to leave with them a capital of six lakhs for a term of years at a moderate rate of interest; and giving up all claim to the profits after 30th April 1813.—Further that Mr. J. Dupre Alexander also retired by agreement made on the 30th June, 1815, fixing retrospectively the date of his retirement the 30th April 1813. That Mr. H. Alexander retired in like manner by an agreement signed the 13th October, 1818, fixing the date the 30th April, 1816. That the deponent Mr. Fullarton, retired by an agreement executed on the 15th of October, 1819, fixing the date the 30th April in the same year. That the principle of adjustment in each of the three cases last mentioned was the same, the retiring partner in each case accepting a specific sum in compromise of his claim to a share of the profits of the subsisting co-partnership, for three years, and also to the share by an article in the deed of partnership, he would have been entitled to claim in the partnership next ensuing; the retiring partner further binding himself to leave at interest with his successor, a certain amount of capital, not less than eight lakhs of rupees, for a stipulated term of years; and for their indemnity against loss by bad debts, making over to them a certain per centage, in the shape of what was called the suspense fund; on all

debts then outstanding of which the recovery was, at the time considered doubtful or precarious; and the continuing partners upon these conditions releasing the partners retiring from all further risk and responsibility in the debts and responsibility in the concerns of the establishment. In the particular case of the deponent, a clause of reservation was introduced into the agreement, under which he retired from the firm, having reference to a law-suit in which Alexander and Co. were then engaged about the concerns of the Howrah Docks, and whereby the deponent submitted in the event of a decree being given against the firm, to forfeit two lakhs and a half. But the decree was given eventually in Alexander and Co.'s favor, and the compromise consequently remained undisturbed. That the successive partnerships of Alexander and Co. were for terms of three years, and that at the expiration of each triennial period, it was the practice of the firm to investigate the state of their balance sheet, to value such debts as had become doubtful or precarious since the triennial period last preceding, and to make such additions to the suspense fund as in the judgment of the firm might be sufficient to cover the risk of such doubtful or precarious balances before dividing off the profits of the co-partnership to the credit of the individual partners. That at different periods subsequent to the execution of the several agreements above-mentioned, and to the retirement from the firm of the several partners, notices by advertisement and circulars were given to the creditors, and circular letters addressed to creditors and correspondents. Further on the execution of the agreement the accounts of the parties were adjusted in conformity with the conditions of the several agreements, and from that time down to the date of the firm's insolvency the four applicants have continued to keep large, though fluctuating, balances, at the credit of their respective accounts; and that there was due and owing on such accounts the amount for which a dividend is now applied for. Further, that these balances were not balances held by the firm at interest under the covenants entered into at the respective periods of these retirements from the firm, the terms for which the several loans were respectively granted, having expired many years ago. That Mr. J. Dupre Alexander and Mr. H. Alexander have long ago, as the deponent believes, received payment in full, not only of these loans, but of all the capital which they severally left at



interest in the house at the period of their respective retirements, and that the balances they now claim to be due to them, are composed exclusively of sums which they have remitted from time to time to this country since their return to England, or which the firm has realized by their order, or on their account, from the sale of Government securities; recovery of outstanding debts, or the produce of other property. That Mr. J. Dupre Alexander appears to have remitted to the credit of his account since his retirement, Sa. Rs. 9,94,650, in bills and bullion, besides a sum of Sa. Rs. 4,50,131 by transfer and funds to a considerable amount realized for him in India. That the total amount of items which have been added to the account of Mr. J. Alexander, by realizations, exceeds nine lakhs, exclusive of interest. That the validity of the agreements entered into by the respective parties, has, in no instance, to deponent's knowledge, been impeached, by the continuing partners, nor the full claims of the retired partners to the balances standing at their credit in any instance called in question. That from the periods of Mr. J. Alexander's and Mr. J. Dupre Alexander's retirement, down to the period of the retirement of the deponent, he believed the concerns of the firm to be in a prosperous and solvent condition, and still believes them to have been so. And his confidence in the prosperity and stability of the firm was derived from the facts that the ascertained net profits of the concern from 1813 to 1819 after writing off all bad debts and setting apart what was believed to be an adequate per centage by way of guarantee for such as were considered doubtful, amounted to upwards of 40 lakhs of rupees; that the commission and agency business was daily increasing; that its credit was at the highest pitch, and that of the property invested in its concerns, upwards of 60 lakhs, being more than three-tenths of the whole, was the property either of the existing members of the firm, or partners who had retired within the preceding five years. Besides which, several of the subsisting partners possessed funds in England and elsewhere to a considerable amount independent of their balances with the house. Further, that the total liabilities of the firm including debts due to retired partners, on the 30th April, 1819, amounted to Sa. Rs. 1,64,13,940, and the assets on the books at the same time were Sa. Rs. 1,96,56,998 of which sum Sa. Rs. 24,60,065, consisted of Government securities, merchandize, and the remaining 17,03,325, consists of debts variously ac-

cured; that of these debts upwards of 77 lakhs comprised under 24 heads of account, were adjudged by the partners to be doubtful or precarious, and that a fund of Sa. Rs. 21,36,950 was made over by the old to the new concern as an indemnity against any losses which they might be liable to sustain from assuming the said debts, and which the deponent believes to have been a sufficient sum, and to have produced an adequate indemnity. That at the time deponent retired, the firm consisted of Arthur Jacob Macan (since deceased) James Young and Thomas Bracken, and all, with the exception of the last mentioned, were men possessed of some property, and holding an independent station in society when they first joined the establishment. That Mr. James Young in particular, had only eight months before relinquished, for his place in the house, one of the highest and most important appointments in the Company's Service, and brought with him a capital estimated at about one and a half lakhs of rupees; and that the deficiency of capital in the case of Mr. Bracken, was shortly afterwards supplied by a loan to him of two lakhs for a term of years from his brother-in-law, Mr. J. D. Alexander, through whose influence he had been introduced into the firm. Further, that the four applicants have, at all times, evinced by their conduct, the most unlimited confidence in the stability and resources of the establishment which they quitted, not only by the large amount of capital which they bound themselves to leave at interest, but by the whole course of their pecuniary dealings, with the firm from 1813 to 1830;—that exclusive of the large voluntary additions which Mr. J. Alexander, and Mr. J. Dupre Alexander were continually making to the funds at the credit of their respective accounts, and which they still continued to make down to a recent period, Mr. J. Dupre Alexander rejected remittances which were made to him from this country between 1818 and 1829, to the amount of Sa. Rs. 3,38,833; that Mr. H. Alexander in like manner rejected Sa. Rs. 1,13,345 by bills transmitted in 1822. That deponent, by omitting to avail himself of an annual credit, which he held on the firm's London correspondent, has likewise voluntarily added a sum of £20,500 besides interest, to the amount of his claim against the firm. That in his private correspondence with the retired partners in England (all of which he has offered to submit to the assignees, and is ready to produce before the Court) repeated proofs will be found of the sin-



cerity of deponent's confidence in the fairness of the arrangements under which the partners had retired, and in the continued prosperity of the general concern. That it can be shewn that in 1822, after the deponent's return to England, he made a tender to his late colleagues of all his available funds in that country, in case certain apprehended financial measures on the part of Government should press inconveniently on their resources. That down to a recent period Mr. J. Alexander and Mr. J. Dupre Alexander continued to look to the firm as a provision for some of their nearest family connexions; that subsequent to the introduction of Mr. T. Bracken their nephew, Mr. N. Alexander was admitted to a place in the firm, upon their joint application, and became a sharing partner in 1822, and that at a late period, another still nearer connexion became a candidate for admission, and would have been admitted in 1832, but for the disasters which were then threatening. That in 1817, Mr. J. Dupre Alexander himself expressed a desire to return. That in 1818, Mr. J. Abbott, who had been the firm's book-keeper from 1812, was a candidate for the vacancy occasioned by Mr. H. Alexander's retirement, and again in 1819 for that produced by the death of Mr. Macan. And lastly, that the decease of Mr. Macan having taken place in the first year of the partnership of 1819 and 1822, his interest ceased by agreement at the expiration of the first year, and that his estate was credited with the net sum of Sa. Rs. 1,87,015, on account of his share of the net profits of that year; and that his executor Mr. James Young, eventually accounted to the legatees for assets realized, principally from the house account, to the total amount of Sa. Rs. 7,36,655. *Englishman.*

#### S U M M A R Y.

Mr. Cockerell and Mr. Colvin had an interview on 4th July, with Lord Auckland, for the purpose of urging the necessity of some legislative enactment, to prevent the invalidating of titles by the application of the British Alien Act to this country, under the interpretation put upon it in the late judgment in the *Martine* case. His Lordship is reported to have told them that Government would lose no time in bringing the matter to the notice of the Court of Directors and Board of Controul, with a recommendation that Parliament should be applied to for some declaratory law with regard to the royal prerogative, to protect the titles of all property in this

country that may have been purchased or alienated up to some specified future date, and also to lay down some definite rule for the future. His Lordship observed, that, as the matter involved the royal prerogative, the Council of India was not competent to apply a remedy.—Another deputation from the Chamber of Commerce, consisting of seven of its members, attended his Lordship on 5th July, by appointment, upon the question of the introduction of a bonding system. We understand, the Governor-General informed the deputation, that the proposition had been favorably received, and that Government was disposed to admit certain goods to be bonded on import, such as metals, tea, coffee, spices, piece goods, wines, spirits, hardware, glassware, and other goods, not of a perishable nature, if suitable warehouses were provided: but doubts were expressed whether any of the Government buildings could conveniently be appropriated to the object. In that case the merchants may perhaps find it worth while to build a set of warehouses themselves, upon a joint stock plan, (a suggestion we have heard) rather than forego the many conveniences they will derive from the opportunity of deferring the payment of duty on goods which come to a bad market, or under limit from the consignors, as well as on merchandize destined for transhipment to other markets. We should hope, however, that it will not be necessary to postpone the measure until new warehouses are built. Even now the amount of imported goods annually re-exported from Calcutta, is not inconsiderable, though much less than in former times. At Bombay, we are informed, there were imported last year from China, for re-shipment to Europe, above 3,000 packages of silk, and 8,000 boxes of tea, besides other China goods, and Mocha coffee, gums, &c., &c., from the Red Sea and Persian Gulph. That island is better situated for an entrepot than Calcutta; but there is no reason for granting the privilege to the chief port of one Presidency, that will not in principle be equally applicable to the chief ports of the other Presidencies, though the indulgence may not be used to the same extent. The Chamber of Commerce have made two representations to the Board of Customs—one against an inconvenient innovation in the mode of clearing import manifests; the other soliciting that ship-stores and provisions may be allowed to pass free to the shipping. We do not anticipate any objec-



tion to meeting the wishes of the Chamber on either of these points?

The *Hurkaru* of 19th July had the following remarks on the severe attack upon Lord W. Bentinck, in the *Times*, for his order abolishing corporal punishment in the Native Army:—"The *Times* takes the opportunity of falling foul of Lord William Bentinck for his evidence, and for having relieved the sepoy from the lash, whilst he left the British soldier subject to it. Lord William could not have abolished flogging in the British portion of the Indian army had he been so inclined; but surely, that is, no reason why, disapproving the punishment altogether, he should not have relieved from it those whom it was in his power to save. According to his Lordship's opinion, our system of discipline excluded from the native portion of our army, the class of men most fitted for military service; surely that was a sufficient reason for abolishing the punishment? Were we to leave our enemies to enlist all the best of the Indian population and to content ourselves with the meanest rabble, because, forsooth, the European soldier would not be satisfied on finding himself more hardly treated than his native fellow-soldier? Are we to hazard the loss of the country rather than attempt an improvement in the internal arrangement of our Army? India will, indeed, have done England no small service, if her peculiar position compels the abolition of a brutal and degrading punishment in every part of the empire. The day is evidently not far distant; and if Lord William Bentinck has hastened it, he has only done what the spirit of the times has forced upon him, and would have forced upon any other man in his situation. He tells us honestly, that his own opinions were for many years in favour of flogging, and that it is only from long reflection, and the effects of discussion, that his prejudices have given way. This is worthy of him, and in spite of the sneers of the *Times*, will raise him in public estimation."—This is a most unfair way of stating the case. The sneers of the *Times* were directed against the honesty of his Lordship's opinions as declared in India, by contrasting them, not with those prejudices which "the effects of discussion" had removed, but with the opinions subsequently pronounced by him before the commission lately appointed by the Crown. The *Times* very deservedly castigates him for returning to those very prejudices, which he professed to have shaken off,—for making

out a case for a partial measure of abolition in the Indian Army upon general principles of the barbarity and evil tendency of the lash in the British Army, and then, after passing this popularity-measure in India, turning upon his heel and bidding his principles good morning. We really do not recollect a more flagrant case of inconsistency in a statesman, nor one which carried with it more external evidence of want of good faith.

—*Courier*.

*Scott's Gazette* contains the following extraordinary remarks upon the petitions presented on 10th July, to prove certain large claims upon the estate of Alexander and Co.:—"A considerable time has elapsed since the failure of Alexander and Co. and one dividend has already been made on the proceeds of their estate, when all of a sudden, a monstrous claim is advanced on account of certain parties in England, which if admitted, will go far to render the share which the general body of the creditors were led to expect would be forthcoming to them, a mere nonentity. It appears to us strange that this matter should only now have transpired, and we should be glad to be informed of the grounds of the delay in bringing it forward. We have hitherto been inclined to trust to the good management of the assignees generally, but it does appear to us to take the creditors somewhat by surprise, to let them have the first intimation of a matter so seriously affecting their interest, through the medium of a report in the Insolvent Court. We are not without a hope that it will ultimately be established, that the Messieurs Alexander and the other claimants were sleeping partners in the firm on which they now seek to prove so enormous an amount, and that the creditors have a claim on them, instead of they on the estate. We suppose that the facility with which similar claims have been entertained in the Insolvent Court has given rise to this application, but as representatives of English creditors, to whom we shall have to render an account of our trust, we cannot let this affair pass without protesting against it, by calling on the general body of creditors to be watchful of the proceedings, and to take such steps as shall appear best calculated to protect their interests.

*French Comedians*.—We hear that a company of French comedians have left Bourbon, and are on their way to Calcutta. They intend to give us a few representations, and then start for Batavia.—*Englishman*.



**Cases Decided in the Western Provinces.**—Though we have abstained from mingling in the discussions which have of late been carried on regarding the Supreme Court and the Civil Service, with a degree of acrimony discreditable to the press of India, we cannot resist the request of a Correspondent to publish the following statement of the work done in the year 1835, by 18 Zillah and City Judges, 6 Additional Judges at different periods, 19 Principal Sudder Ameeris, and 92 Sudder Ameeris and Moonsiffs. The statements we are informed, were refused admission in one of the daily journals. They will prove that the Courts are not so inefficient as it is attempted to shew; and that there has been of late years a very manifest improvement in the judicial affairs of the country. De-

fective as our system may be, and we have never shrunk from exposing its deformities, it is infinitely superior to the capricious system of Moosulman jurisprudence; and far more speedy and efficient, and less expensive than the cumbersome system of British law as administered in the King's Courts. It should not, moreover, be forgotten, that the Moosul Courts were fettered in their operations by being constrained, against the conviction of their own judgment to use a foreign language in their proceedings. Let this obstacle to the despatch of business be removed, and the efficiency of the Moosul Courts will be doubled.

• Statement of Civil Suits disposed of by the Courts in the Western Provinces during 1835 :—

Zillahs	Decided.	Dismissed on default.	Adjusted or withdrawn.	Total
Agra	1,577	210	616	2,403
Allahabad	1,780	162	235	2,177
Allyghur	2,251	194	698	3,143
Bareilly	3,350	129	332	3,811
Benares	2,436	145	138	2,719
Bundelkund	857	198	364	1,419
Cawnpore	2,491	409	659	3,559
Delhi	2,456	248	717	3,421
Farruckabad	3,114	275	465	3,854
Futtehpoore	1,304	147	253	1,704
Ghazeepore	2,505	151	176	2,832
Goruckpoore	4,060	321	328	4,709
Jaunpoore	1,691	106	234	2,031
Meerut	2,626	298	856	3,780
Mirzapore	1,323	141	110	1,574
Moradabad	3,214	382	1,604	5,150
Mynpoorie	1,373	188	1,049	2,610
Seharunpoore	1,447	118	631	2,196
Grand Total	39,855	3,772	9,463	53,080

The following Statement of the number of Civil Suits pending before the Courts in the Western Provinces on the 1st of January, 1836, exclusive of the Sudder Adawlut, is no less satisfactory than the preceding return :—

Of suits instituted in or before 1833	639
— instituted in 1834	1,557
— instituted in 1835	20,689
Total pending January 1st, 1836	22,885
Of which there were Original Suits	19,273
Appeals	3,612

*Friend of India, June 30.]*

We are exceedingly glad to learn, by a letter from the Hills that Mr. Bogle, the gentleman who has distinguished himself, by the introduction of beer-brewing into India, is proposing to cut a road from Budraj to the Dhoon, with the view of affording accommodation and comfort to travellers to and from the Hills.—We would wish to see a few more public-spirited individuals employ their time and capital in such useful under-

• kings; to which, we hope, the Government will afford every encouragement.—The time may not be far distant, when the weary traveller will be cheered, with the sight of a smiling English cottage in the barren wastes and wilds of India.

We understand that an extensive system of forgery has lately been brought to light in one of the Native States. A rich and wealthy man, and one who has



hitherto bore a high character, is said to be the offender: the system, we believe, has been going on for years, and was only discovered within the last month; so that immense sums of money are supposed to have been obtained through this means. The Rajah himself is the principal sufferer, as his seal and signature, forged to a nicety, have been pretty fairly used, sometimes in obtaining sums to a very great amount.

A correspondent of the *Englishman* quotes from a little Treatise of 1822 upon the External Commerce and Exchanges of Bengal, by Mr. G. A. Prinsep, a statement which he truly observes, exhibited "the estimated amount of European mercantile profits annually at sixty-seven lakhs of rupees," adding, "It may be presumed that the author possessed ample data for founding his conclusions, and consequently there seems to be good reason to rely upon his facts; admitting this, it would, no doubt, be satisfactory to the creditors, if the same author, now upon the spot, would kindly condescend to enter into some explanation of the principal causes which may have led to such a sad reverse of circumstances within such a comparatively short period.—It does not appear that the mercantile transactions of Calcutta diminished from the period at which the statement was published up to the time of the failures." The author did possess sufficient data, as presumed, "for founding his conclusions upon," at the time, that is, for estimating the commissions charged by the merchants of Calcutta in the mass, which in fact he under-rated at 36 lakhs a-year. The insurance and banking profits of the time were also rather under-rated in the statement at 11 lakhs; and if his estimate of other profits in trade was over-rated at 20 lakhs, it was only so because he had then no knowledge of the dangerous sort of speculations which the Calcutta houses used to enter into and support in foreign trade, as well as in indigo and other agricultural pursuits, nor of the immense amount of unsecured debts upon their books. He looked at the question with the eye of a mercantile man, inferring what was from what ought to have been their prosperity: he saw that a few great houses enjoyed a sort of monopoly of business and credit, and a command of immense capital: he neither over-rated their commissions, nor over-valued their opportunities of profit; and it did not occur to him as even possible, that, with such opportunities, those firms might be rotten at the core—that all their commissions and profits were, in fact, ab-

sorbed by the interest they were paying for money borrowed, while the loans they were liberally granting to all classes of constituents were (a large portion of them) destined never to be recovered. A knowledge of the real state of things was of course obtained by the same individual when he joined one of those firms three years afterwards,—but not till then, or, rather, till the moment before his election, to entangle himself in the responsibilities of a concern which he joined for the purpose and in the hope of saving from impending ruin, when its credit abroad was still unshaken, and no panic in England or in India had drained its resources, by largely reducing the cash balances it held of constituents.—The really commercial business of the firm did increase very considerably during his connexion with Palmer and Co., and the commissions gradually rose to seven lakhs of rupees per annum; and, from what we now know of the business of the other agency firms, we believe that the commissions, shared among the six houses, did not amount to less than 30 lakhs of rupees; so that 36 lakhs would at that time still be an under-estimate of the agency charges of the whole trade.

*Union Bank.*—A general half-yearly meeting (the 13th) was held on 14th July, at the Union Bank, pursuant to advertisement. — Captain Vint in the chair. The business of the meeting commenced by reading the Secretary's Report, July 1836. In reporting operations for the last six months, I have again to announce continued prosperous results. — The nett profits amount to no less than Company's rupees 1,28,046-5-10 equal to 14-7-1½ per cent. per annum on your capital stock. — The rate for the preceding half-year was 13-5; and for the half-year before that, 12-10-2. I have to remark as formerly, that profit upon paper-issues appears to enter but slightly into this large amount of gain: the points of greatest and least issue in the last six months of 1835, were 5,71,000 and 3,35,000; in the half year now expired, 7,57,000 and 4,04,000, or in favour of the present period, about, say 15 5. The new coinage has, probably had some unfavourable effect upon note issues, from the inconvenience of their sicca denomination. Our business in all other respects has increased so much, that Company's rupee-notes will, probably obtain a proportionate share of town circulation. This, however, is a matter of comparatively little moment in these times of prosperous commercial



activity. The new notes may be expected by the end of the current year—as we learn from our agents, Sir Charles Cockerell and Co.'s replies to our overland instructions of October last.—A considerable expense is entailed on the bank by this unavoidable change in our bank paper. The new notes are expected to cost about £1,500; and on their passing into circulation this amount will be gradually written off as notes are worn out and cancelled. In this manner, the accounts now before you, are charged with rupees 3,800 for the half-year, besides which we have a stock of nice notes valued on our books at Sa. Rs. 9,000, so that even after using off 3 or 4,000 rupees more before the new notes arrive, we shall still have on hand about 5,000 rupees worth of obsolete paper. In appropriating the present overflowing profits, it may be expedient to set apart something to meet this extra expense.—You are aware that all the resident proprietors' supplementary shares are taken up. Forty-six only remain, the privilege of absentees: These, if not claimed in December, will be sold at next general meeting, under the resolutions of January last;—like the two full and two supplementary shares to be sold this day. It is hardly necessary to remind you that in computing whatever dividend you now declare, supplementary shares will of course reckon for two months only, viz. from the 1st of May.—My last report wound up with a figured sketch of progress made towards extinguishing the item of account called "Dependencies," no less at one time than Sa. Rs. 2,72,201-4-10 representing all the losses of the bank from the beginning.—I then shewed that from accumulation of undivided profits and realized outstandings, had arisen to set off against those losses, a reserved fund amounting on the 30th June 1835, to Sa. Rs. 2,25,410-4-8, leaving a balance of Sa. Rs. 46,791-0-2.—It was also shewn that with the six months following, a similar fund of Sa. Rs. 33,149, had become applicable to further reduction; so that, on the 31st Dec. 1835, the balance was only Sa. Rs. 13,542-0-2, against which would be set off, future realizations from Palmer and Co.'s assignees, and from Goopee Mohun Doss's estate, the latter greatly more than enough to cover the whole balance.—But this small balance of Sa. Rs. 13,542-0-2, or Co.'s rupees 14,444-13-1, has been still further reduced during the six months now expired by the following accumulation to credit of reserved fund, viz:—

Received from Palmer and Co.'s assignees Sa. Rs.	
1,319-5-8 or Co.'s Rs.	1,407 4 11
Unappropriated profits of the previous year; after dividing 10 per cent and applying Co.'s Rs. 19,833-5-4, to complete each share to Co's	
Rs. 2,700 - - - -	6,496 0 2
<b>Total Co.'s Rs.</b>	<b>7,903 5 1</b>

Deducted from last half-year's balance - - - 14,444 13 1

Leaves a balance this half-year - - - - - 6,541 8 0

This balance, then, is all that remains now unextinguished of the old "Dependencies," and it is considered to be far more than covered by expectancies, before stated. Its amount is only about one-twentieth of the next half-year's profits which you are now proceeding to divide or otherwise appropriate as may seem meet. J. YOUNG, Secretary.—It was proposed by Mr. Hurry, seconded by Mr. Carr, and carried unanimously:—Resolution I.—That the Secretary's report just read, is approved, and that it be published.—It was proposed by Mr. Oxborough, seconded by Mr. Gardner, and carried unanimously:—Resolution II.—That the accounts now submitted are approved and passed by this meeting, and that the books be closed accordingly.—It was proposed by Mr. Rogers, seconded by Mr. Rondo, and carried unanimously:—Resolution III.—That a half-yearly dividend at the rate of twelve per cent. per annum, being Company's rupees 169 per full share, and Company's Rs. 18 per supplementary share, be now declared.\*—The meeting then proceeded to elect four new directors in the room of Messrs. R. H. Cockerell, William Storm, Alexander Rogers, and Radheprusaud Roy, whose periods of service had expired. The election fell on Messrs. K. R. Mackenzie, William Martin, W. C. Hurry, and Radamadub Bonerjee.—It was moved by Baboo Dwarkanauth Tagore, seconded by Mr. Manuk, and carried unanimously:—Resolution

\* The effect of this resolution is as follows:—

Total half-yearly profits	1,28,046 5 10
Deduct dividend at 12 per cent. - - - -	1,06,802 0 0
<b>Surplus reserved fund -</b>	<b>21,234 5 10</b>



IV.—That as the establishment appears to be inadequate, both as to salaries and numbers, while the business of the bank has very largely increased, and its affairs are in a prosperous state—the directors be authorized to revise the whole establishment, and to submit to a general meeting, to be called for the purpose, such recommendations on this subject as they may think fit.—The usual thanks to the chair being voted, the meeting broke up.

*Colonel Dennie.*—We hear it mentioned in the military circles at this Presidency, that the result of the court-martial on Colonel Dennie will shortly appear in orders. The protracted delay in publishing the findings and verdict of the Court is thus accounted for. The Court attached a finding of "not guilty" to each of the twenty-eight voluminous charges preferred by Lieutenant Brownrigg against that distinguished officer, and gave a verdict of "honorably acquitted." The proceedings were then forwarded to the then Commander-in-chief, Lord W. Bentinck, by whom they were sent back for re-consideration. The Court, however, adhered to their former verdict, attaching a remark to the proceedings, referring to his Lordship's hesitation to confirm them, and they were again forwarded to Calcutta. In the interim, Lord William had resigned his important appointments, and Major General Watson sent on the whole case to the Commander-in-chief at Madras. Sir Robert O'Callaghan confirmed the court's finding and honorable acquittal, but observing the court's remark he thought the interests of the service were best consulted by submitting the proceedings, verdict, and confirmation, to Lord Hill, previous to publication in this country. They are now returned, with the addition of a remark by Lord Hill on the impropriety of the court's comment on the conduct of the then highest military authority in this country.—*Englishman.*

*Uncovenanted Retiring Fund.*—We understand that the committee appointed to devise a scheme of a retiring fund for the uncovenanted service, have at length agreed upon a plan which is now before the Government for its ultimate sanction. The calculations on which the proposed amount of subscription has been based, have, we hear, been prepared by Mr. J. B. Plumb, and are certified, by a highly competent officer, to be as accurate as can be desired. We trust, sincerely, that the application of the committee will meet with the most liberal consideration from his Lordship in Council,

for it is a reproach to former Governments that they have hitherto neglected to assist the uncovenanted to make any reasonable provisions for themselves and families. The civil and military funds together with sundry public charities, enjoy a portion of the consideration of Government, but the families of clerks and assistants, have been left to depend on the charity of friends, their own economy, or the chance bounty of the Court of Directors, only extended to special and remarkable cases.

*Bank of Bengal.*—Balance of the Bank of Bengal, the 30th June. 1836.—

Dr.	Co.'s Rs.	A.	P.
Cash and Govt. Securities . . . .	80,24,896	6	6
Loans on Deposit of Govt. Securities . . . .	49,51,137	13	8
Bills on Government Discounted . . . .	26,66,122	6	0
Private Bills Discounted . . . .	19,19,298	13	1
Joint Liability Bills and Notes . . . .	5,92,385	10	8
Purchasers of Pledged and Forfeit Securities . . . .	5,56,613	0	2
Doubtful Debts . . . .	25,734	2	0
Accounts of Credit on Deposit Securities . . . .	4,68,349	15	2
Advance for Legal Proceedings . . . .	2,226	1	5
Dead Stock . . . .	1,14,874	0	4
	Co.'s Rs.	1,93,21,638	5 0
Cr.			
Bank Notes and Post Bills Outstanding and Claims payable on Demand . . . .	1,33,36,963	14	3
Suspence Account, " B. N. . . . .	52,678	6	4
Suspence Account . . . .	3,40,518	12	11
Net Stock . . . .	55,91,477	3	6
	Co.'s Rs.	1,93,21,638	5 0

REMARKS:—The items of the foregoing statement, which would appear to call for remark, are "Joint Liability Bills and Notes,"—"Purchasers of Pledged and Forfeit Securities,"—"Doubtful Debts,"—"Advance for Legal Proceedings,"—"Suspence Account, B. N.," and "Suspence Account."—"Joint Liability Bills and Notes."—This item is the balance of the principal amount of the Acceptances, (with charges) for which the estates of Messrs. Crattenden, Mackillop, and Co., Alexander and Co., Fergusson and Co., and



Mackintosh and Co., are liable For this sum the Bank holds the direct liability of the four Firms. Since the last report the balance has been reduced in the sum of Co.'s Rs. 10,778-2-8 "*Purchasers of Pledged and Forfeit Securities* :—This item shews the balance of the Acceptances for which the collateral securities of the estates of Messrs. Alexander and Co. have been sold :—the title deeds of the several properties remaining with the Bank pending payment in full of the purchase monies. "*Doubtful Debts* :—"The sum of Co.'s Rs. 25,734-2-0 is the balance of Co.'s Rs. 9,23,451-5-4, the difference having been written off as bad debt. This balance was valued by the Directors, at the close of the half year just ended, at Co.'s Rs. 1,42,359-4-9.—The profit on the banking business of the past half year amounts to Co.'s Rs. 2,66,666-10-8, or at the rate of Co.'s Rs. 10 per cent per annum on the stock. Of this profit Co.'s Rs. 8,522-12 6 is the amount written off on account of old bank notes marked A, outstanding for more than 22 years. "*Advance for Legal Proceedings* :—The amount of this item was advanced to meet the costs of the appeal made by the assignees of Palmer and Co., against the judgment obtained by the Bank in the Supreme Court in the matter of the surplus proceeds of the Company's paper of the estate of Messrs. Palmer and Co., held by the Bank." "*Suspence Account, B. N.*"—The sum at credit of this account is the balance of outstanding old bank notes marked A. Since the report of the half year ended 31st December last, only Co.'s Rs. 2,481-1-1 of notes of this description, have been paid. "*Suspence Account* :—"The sum at credit of this account consists of interest on the advances for indigo made to the assignees of Alexander and Co., of the profit arising on those advances; and of other items relating to the Bank's transactions with the late firm or estate of Alexander and Co.—Published by order of the Directors, G. UDNY, Secretary.—Bank of Bengal, 8th July, 1836.

We understand that the Jeypoor trials were brought to a close on the 4th inst. As yet we have no direct intimations as to the nature of the verdicts,—but we have some reason to believe that they go to the conviction of both Jotha Ram and his brother Hookum Chund. It is certainly very desirable the public should see the proceedings, that they may judge for themselves how far justice has been done to the parties accused by the singularly constituted Court which has tried them.

*Destruction of Pirates.*—The "Water Witch," spoke the "Andromache" on the 10th June. At first, the frigate was taken for an Arab barque, as Captain Chads had purposely disguised her in order to deceive the prahus. An officer, however, put off in a boat, and boarded the "Water Witch," to the parties on board of which he communicated some highly interesting information. It appears that three or four nights previously the three boats of the "Andromache" were manned and sent on a reconnaissance. They fell in with three prahus, full of pirates, which they immediately attacked. The pirates tried to board the boats, but these latter prudently kept away at pistol shot distance, pouring grape into the enemy, whose pursuit was rendered unavailing by the circumstance of their guns being lashed to the deck and incapable therefore of depression or elevation. Rendered at length desperate by the harassing fire of the man of war boats, a number of the pirates sprang overboard and swam to the boats, laying hold of the gunwales and trying to stab the men, neither asking nor receiving quarter. This mode of attack, however, was as unsuccessful as the other. Only one of the boat's crew was wounded—and that by a spear thrown at him by one of the swimming pirates. About 113 pirates were killed in this rencontre, but as few of them escaped on shore to an island called the Arrowes, the boats of the "Andromache" remained all night off the island, and beat the jungle the next morning. In this way they took 9 prisoners, including the chief of the expedition, who were immediately carried on board the "Andromache," and placed in irons. Two of the prisoners confessed that the prahus had been fitted out with two others expressly for a piratical expedition—and that the whole of the crews, with the exception of eight men who had escaped in the jungle, had been annihilated by the fire of the boats or destroyed in the desperate attempt to board. Captain Chads expected to get much information from the prisoners, and through their instrumentality, to capture many other piratical vessels. This is the most pleasing intelligence we have yet had respecting the attempt to suppress piracy. We hope Captain Chads will be equally successful in all future rencontres, and that his efforts, and those of the Captains of the other men of war will be seconded by the masters of merchant ships after the fashion which Captain Edwards of the "Donna Carmelita," and Capt. Aaron Smith of the "Mary Ann," ap-



pear to have adopted. Nothing, we fear, can be expected from the steamers.

**Report on the Market.**—(From the Exchange Price Current, Aug. 30.)—Country produce.—**Indigo.**—An estimate of the crop has just been made up with great care, and upon which considerable reliance may be placed: an abstract is below. We have to notice that a sale of a good Kishnaghur mark was yesterday made at a very high price—say 1,300 mds, at 280 sicca rupees per factory maund; without rejection.

Crop of 1894 - - - - - 1,11,057  
vis.

Lower Provinces - - - - - 74,600

Tirhoot and Western Provinces 36,457

The produce of 78 indigo concerns taken promiscuously from every sillah in the Lower Provinces, amounted last year to - - - - - mds. 46,100

And the same concerns are estimated this year to yield - 41,050

If 46,100 - 74,600 - 41,050 - 66,420

The produce of 24 concerns in Tirhoot and the Western Provinces yielded last year 17,968

And this year are expected to produce - - 19,900

If 17,968 - 36,457 - 19,900 - 40,380

**Probable crop, maunds 1,06,800**  
**Saltpetre.**—There has been an extensive business in this produce for the past two months, notwithstanding the high rates of freight to England—during this period prices have not undergone much variation.—We give below a statement of Exports to Europe and America, from 1st July, to which we may add that the aggregate amount of Exports from the beginning of the year is considerably greater than for the same time the preceding season.—Exports:

G. Britain. N. America.  
July - B. mds. 17,068 6,723  
August " 24,808 8,407

#### Quotations of Prices.

Gudna - - Fy. mds. Co.'s Rs. 6 14 10  
Chuprah - " " 6 3 2  
Ghaseepore " " 6 10 8  
Cawnpore " " 5 9 7

**Sugar.**—A good deal of attention has been given to this of late, and shipments have been carried on to a large extent, in the face of high freights and prices—at present the market continues active and prices steady.—Exports:

G. Britain. Other Places:  
July - B. mds. 19,214 20,109  
August " 56,627 24,280

#### Quotations of Prices.

New 1st sort B. mds. Co.'s Rs. 10 10 8  
2d sort " " 9 15 11

**Silk Goods.**—The accounts from England for May and June, were of so favorable a nature for Raw Silk and Piece Goods, that the markets in the districts, as well as the Calcutta Bazar, were filled with buyers, and continued until within the last week or two, to be so much excited that prices rose about 15 per cent. and goods of fair descriptions got extremely scarce, in consequence of the cultivators and manufacturers looking more to quantity than quality—now, the demand is decidedly less, and prices are lower.—Exports:

Raw Silk. G. Britain. Other Places  
July - B. mds. 1,147 254  
August " 891 171  
Silk Piece Gds. G. Britain. U. States:  
July - Pieces 21,167 18,930  
August - - 40,951 14,950

#### Quotations of Prices.

Silk, Raw. Co.'s Rs.  
Bauleah, per B. seer - - - 11 11 8  
Commercolly " - - - 11 15 11  
Radanagore " - - - 11 9 7  
Gonatea per Fy seer - - - 13 2 1  
Cossimbazar - - - - 12 2 1  
Malda - - - - - 11 18 10

#### Silk Piece Goods.

Choppah, Cossimbazar, per  
corge - - - - - 172 12 0  
Bandanoes " - - - - 175 15 11  
Cossimbazar Corahs " - 162 2 1  
Radanagore " - - - - 136 8 6  
Tussers, 18 yards per piece - 8 12 9  
**Rice.**—The demand for dead weight tonnage has had a material effect on the export of rice—the short shipments of this, however, now begin to attract notice and it is probable that there will be an active business for some time—prices have been rather improving of late, at present may be quoted for the best 2-12 per md.—Exports:

Great Britain.  
July - - - - - mds. 2,376  
August - - - - - 10,664

**Cotton.**—During the last few months, there have been little doing for Europe—the accounts from that quarter not having been particularly encouraging—large operations, however, for China, have been engaged in—the following is a note of the Export.

Great Britain. China.  
July - B. mds. 1,253 75,516  
August " 1,206 58,027

In other articles of country produce, there has not been any thing of particular interest going on—we quote below. Exports and prices of several.



<i>Shell Lac,</i>	Great Britain.
July . . . . .	B. mds. 1,092
August . . . . .	" 1,564
<i>Lac Dye.</i>	
July . . . . .	" 53
August . . . . .	" 1,311
<i>Castor Oil.</i>	
July . . . . .	" 449
August . . . . .	" 1,061
<i>Safflower.</i>	
July . . . . .	" 1,148
August . . . . .	" 936
Quotations of Prices. Co.'s Rs.	
Shell lac, 1st sort, per B. md.	35 a 41
2d sort "	26 a 34
Lac dye, 1st sort "	40 a 48
2d sort "	28 a 40
Castor Oil . . . . .	8 a 13
Safflower, 1st sort "	28 a 34
2d sort "	18 a 26

*Imports from Europe, &c.—Metals.*

The market is by no means in an animated state for any descriptions of Metals—During the month, the amount of business done in *Copper*, has been small and at prices that will not remunerate.

*Spelter.*—Advices from London to the 1st June, quoting this article at £24 per ton, have induced firmness in holders here; and higher prices are demanded, the stock, however, is so heavy—upwards 100,000 mds, in first hands, that no impression has as yet been made by this circumstance. The present quotations after deducting charges, will not yield a better return than £16 10s per ton.—Quotations of Prices:

	Co.'s Rs.
Copper, tile 14lb. Fy. mds.	38 0 a 39 0
Sheathing, 16 to 32 oz. .	39 13 a 39 7
Braziers . . . . .	39 0 a 40 0
Lead, pig . . . . .	7 7 a 7 12
sheet . . . . .	7 7 a 7 11
Red, Ct. Rs. . . . .	7 3 a 7 7
White " . . . . .	11 0 a 7 3
Iron, English assorted "	3 3 a 3 8
Sheet . . . . .	5 9 a 6 2
Swedish . . . . .	5 9 a 5 12
Swedish steel Ct. Rs.	6 14 a 7 2
Quicksilver per seer .	3 15 a 4 0
Spelter per Fy. md.	7 0 a 7 2

*Alas and Wines.*—Prices of the former have during the month been rather steady, and may now be quoted at 70 Co.'s Rs. for the favorite brands.

*Wines*, particularly Sherries, the market is completely overstocked, and chiefly by inferior kinds. *Exchange.*—Sales of local bills have recently been effected to a considerable amount at 2s 8½d to 2s 3¼d per 100 rupee of Government bills at 2s 1d to 2s 1¼d—the average remitting rate may be about 2s 2½d to 2s 2¼d per 100, or 2s 6¼d to 2s 6½d per Co.'s rupee.

*Freights.*—Dead weight

tonnage continues to be wanted and rates consequently keep up—the following are the rates of the day, viz.—*Freights to London:*—Sugar and Saltpetre, £6 10s to £6 15s; 20 cwt. per ton—Rice £7—Silk £9 to £10; 10 cwt. per ton—Silk Piece Goods £7 to £8; 50 feet per ton.

*Bengal Club.*—Adjourned Annual Meeting, 15th Aug. 1836.—At the Adjourned Annual Meeting of the members of the Bengal Club held this day, Dr. J. Sawers in the chair; the ten propositions of the Special Committee (appointed on the 14th June last) circulated to the members on the 1st ultimo, and the sentiments of the members generally, on the several propositions having been brought forward and discussed, the following resolutions were proposed and carried:—1st. Resolved, That the entrance money shall in future be 150 rupees—2d, Resolved, That the yearly subscription for members residing in Calcutta, shall be 60 rupees per annum payable quarterly in advance—3d, Resolved, That the members residing at Dum Dum, Barrackpore and in Fort William, shall pay an annual subscription of 24 rupees payable quarterly in advance.—4th Resolved That non-resident members shall pay 16 rupees per annum in advance.—5th, Resolved, That in future on any gentleman being proposed as a member, his name shall be put up at the door of the Club House, and in the Reading Room, also that the Secretary shall circulate to all the members supposed or known to be in Calcutta, the candidate's name and the names of the gentlemen by whom he is proposed and seconded, so that members may have a fair opportunity of attending the ballot.—6th, Resolved, That there shall be no distinctions of members except the Patron.—7th, Resolved, That the 2d clause of 2d rule for the internal arrangements of the club-house be rescinded.—8th, Resolved, That the Committee shall in future consist of seven members to be elected at the Annual Meeting by ballot, and should vacancies reduce that number to less than five, the Committee shall immediately call a General Meeting for a re-election.—9th Resolved, That the Committee be requested to make arrangements so that one room shall be laid out with separate tables for any members who may wish to dine at their convenience by themselves.—10th, Resolved, That every proposition hereafter made for altering an established rule of the club, is to be submitted to a General Meeting regularly convened, and if approved by a majority of the members present, it is then to be



entered in a book kept for that purpose, and be left on the table of the Reading Room to receive the votes of the members, the book to remain open for five weeks, and at the end of that period, if the alteration is approved by a majority of the members who have voted, it is to form a standing rule. Provided, however, that every such proposition shall, if rejected by a General Meeting, be submitted by circulars at the expense of the Club, for the general opinion and votes of the members at large, on the written requisition of any seven members of the Club.—11th, Resolved, That the 1st, 2d and 3d clauses of Rule II. be rescinded, and that in lieu thereof be inserted,—“All commissioned officers, civil, military or naval in H. M.’s or the H. Co.’s service.”—12th, Resolved, that the chairman, with Mr. D. C. Smyth and Principal Bramley be requested to draw out the New Rules as carried by the present meeting—The following gentlemen were then elected by ballot members of the Committee of Management for the year 1836-37, viz. —D. C. SMYTH, Esq., Prinpl. BRAMLEY, H. W. TORRENS, Esq. R. MOLLOY, Esq. Dr. J. RANKEN, P. O’HANLON, Esq., Captain F. W. BIRCH, and J. SAWERS Esq. House Member.—J. SAWERS, Chairman.—N. B. The above eleven resolutions will remain on the table for five weeks, conformably to the 12th clause of the 7th Rule, and non-resident members are requested to transmit their written votes, either to the Secretary, or to a resident member, on or before the 22d proximo.

**Bank of Bengal.**—Notice.—The Secretary to the Bank of Bengal having made subscription in the book opened at the Accountant General’s Office for the additional capital of 20 lakhs of sicca rupees (ordered to be subscribed for by the Governor General in Council agreeably to the notice published in the *Calcutta Gazette*, and dated 7th March 1835) under powers from Proprietors entitled to claim the whole amount of the said additional capital, which powers bind the said subscribing proprietors to abide the distribution that may be made by the proprietors at large at a General Meeting to be held for the purpose.—Notice is hereby given, that a General Meeting of Proprietors will be held at the Bank on the 10th September next, at 11 a. m. to determine upon the distribution of the new capital amongst the proprietors, and upon the steps to be taken to realize the amount.—By Order of the Directors, G. DNY, Secretary to the Bank—Bank of Bengal, Aug. 18, 1836.

**Military Fund.**—As information interesting to our military readers, we have the pleasure to publish the propositions, relative to the suggested change in the principle of subscription to the Military Fund, which, with the sanction of Government, will be forthwith submitted for adoption by the army. 1st.—That all members who have served 32 years may subscribe as Colonels, all who have served 27 years as Lieut.-colonels, all who have served 22 as Majors, all who have served 12 years as Captains, and all junior officers as Lieutenants. 2d.—That medical officers may subscribe as Colonels after 27 years service, as Lieut. colonels after 22 years, as Majors after 17 years, and after 10 years as Captains. 3d.—That Chaplains may subscribe after 15 years as Lieut.-colonels, after 20 years as Colonels. 4th.—That admission to subscribe in any higher rank, to which his service may render an officer eligible, shall depend on the payment of the increased donation within the period prescribed by Regulation 10 of the existing rules. Further, the claim must be made within 3 months, if he be in India, or, if at home, within 12 months, from the date of these five new rules, or from the completion of the qualifying service.—5th.—If the privilege to subscribe in any higher rank be not embraced within the above periods, the application, whenever subsequently made, must be accompanied by a health certificate, and compound interest at 8 per cent. per annum, shall be charged upon the additional donations and arrears of subscription accumulated half yearly (as by article 2d of existing rules) from the date of these rules taking effect or from the completion of the qualifying service.

**Madagascar Sugar.**—It appears that a new competitor is about to come into the market with the East and West India sugar. Sugar of a fine quality is now manufactured at Madagascar and sells at five dollars seventy-five cents, the hundred weight, and that an American ship has already entered on commercial transactions in that island, for the purpose of purchasing its sugar.

Sir Charles Metcalfe, with his accustomed liberality, has sent to the Meerut Horticultural garden 540 rupees, which is a donation of 500, above the usual fee for entrance.

**Civil Service Annuity Fund.**—At an adjourned special general meeting of subscribers to the Civil Service Annuity Fund, held pursuant to notice, at the Town Hall, on Monday, the 11th July, 1836, it was moved by Mr. Prinsep,



that the printed rules as circulated to the subscribers, and advertised under the orders of the Committee of Managers, dated 27th May last, be adopted with the following amendment to rule No. 38, in order to fix the date and manner of carrying that rule into effect, viz., after the words "entitling him thereto," in the middle of the rule, add,—“If he do so before the 1st May, and shall have then retired from the service, his annuity will commence from that date. If he complete his payments and retire at any subsequent date of the same year, the value of the annuity will still be calculated as from 1st May, but, the retiring servant will receive only the fractional portion of the annuity for the first year, calculated from the date of such payment and retirement, and his subscriptions after the 1st August shall not be credited in his account, but shall accrue to the fund, together with the unpaid portion of the Annuity.”—The above motion being seconded by Mr. G. Stockwell was carried unanimously.—A vacancy being reported in the Committee of Managers in consequence of the retirement of Mr. C. W. Smith, Mr. F. Millet was unanimously elected.

#### *Murders [on Board the Sumatra.—*

The commander and chief officer of the Dutch bark “Sumatra” were killed at sea, on the 17th June, by the Gunner, who states it was done in self-defence. The following is the man’s statements of the affair:—“On the 17th June last, about 7 P. M., it being my (Gunner’s) watch on deck, the vessel with all studding sails set, the wind suddenly shifting more a head so as to shiver the sails, I at first imagining it to be through the vessel’s broaching to, enquired of the seacunny at the wheel, what he was about, and proceeding to the compass discovered my error. The Captain then came out and seeing the sails shivering, abused the seacunny, and complained that they always steered badly.—I replied it was not the fault of the seacunny but that the wind had drawn a-head, after my reply to the Captain I took no further notice of him, but was busy giving the necessary directions from the poop, about trimming sails, &c; while thus engaged, the Captain, who was standing on the larboard poop-ladder, with a small cutlass in his hand, which I had not noticed before, suddenly stabbed me on the left side. I ran towards the binnacle, bleeding and smarting with the wound, and seeing the Captain stopping on the poop, with the intention of repeating his violence, I sprung to-

wards him with the knife I always wore, fended off the cut he made at me with the cutlass, and closed with him, and, in the scuffle, both fell off the poop on the quarter-deck, on which we let go our hold of each other, and I discovered my knife was broken. The Captain immediately on recovering himself, made another cut at me with the cutlass, which I fended off with the broken knife I retained in my hand; he then made a stab at me which I also fended off, but not without receiving a wound on the groin. He then ran inside the cuddy. I, fearing it was with the intention of arming himself with a pistol, (a brace of which, I was told, he always kept loaded in his cabin) and, being apprehensive of my safety, ran in after him, and caught him from behind; securing both his hands with mine, I dragged him to the cuddy door and kept my hold, hoping that he would soon be pacified, and refrain from further violence—the Captain all the time struggling to get free. Whilst I was holding him, the mate, who had been asleep before, came out from his cabin, which I did not perceive, and stabbed me from behind. On feeling the wound, and despairing of my life, I with my utmost strength threw the Captain on his back on the deck, forced the cutlass out of his hands, and in the act of drawing it backward, cut him across the chest, and I repeated the blow, seeing that I had no other hopes of my life, which killed him. I then turned into the cuddy to expostulate with the mate, but not finding him there, and hearing the exclamation of the seacunny (that was before at the wheel, but then, for refuge, on the main rigging) of ‘Oh! Jesus Christ,’ I concluded he was on the poop, and went thither accordingly. Immediately on reaching the poop, the mate began to assault me with his cutlass, and I, in self-defence, turned upon him with the cutlass I had forced from the Captain, and after a fight of about five minutes, I cut him across the chest, and with a second blow, killed him. A short time after this, having assured the crew of their safety, desiring the bodies to be thrown overboard, and giving some other directions, I became insensible through loss of blood, and continued very ill, and despaired of for the following week: after recovering a little, I determined on proceeding to Calcutta. I have been careful of the property on board—what I have done, I was compelled to in self-defence, and I am now here for the trial I must undergo.



**Agra Bank—Statement of the Agra Bank Accounts to 1st Aug. 1886.**

Deposits, @ 6 per cent.	23,834	13	0
Do. @ 5 do.	5,19,566	4	8
Do. @ 4 do.	31,627	15	2
Do. without interest	1,02,674	14	9
Accounts with corresponding Agents	5,800	2	4
<b>Total</b>	<b>6,83,504</b>	<b>1</b>	<b>6</b>
• Shares paid up	6,78,500	0	0
<b>Total</b>	<b>13,62,004</b>	<b>1</b>	<b>6</b>
Balance	500	2	4
<b>Total</b>	<b>13,62,564</b>	<b>3</b>	<b>10</b>

By loans to members of H. M.'s and the Co.'s service, covered by registered salary bills and guaranteed by two sureties	7,44,567	7	8
By cash accounts covered by the bond security of two sureties	79,270	15	9
By cash accounts covered by the mortgage of houses in cantonments	92,238	12	8
By do. do. out of cantonments, Europeans	1,599	14	6
By do. do. do. Natives	14,349	15	9
By do. do. by the mortgage of villages, Europeans	5,368	14	10
By do. do. do. Natives	3,000	0	0
By advances on the deposit and consignment of Goods	0	0	0
By advances on the security of shares realizable monthly by registered salary bills	14,780	9	0
By advances on do. to private parties realizable by instalments in 12 months	0	0	0
By discounted salary and private bills	19,303	1	9
Company's paper	1,52,800	0	0
Accounts with corresponding agents	12,084	9	8
Cash	73,537	14	10
Hoondies	85,700	0	0
Account with the Union Bank	84,021	15	5

**Total 13,62,564 3 10**

**J. O. BECKETT, Secy. Agra Bank.**

**The Company's Advances upon Goods.**

Several of the principal merchants attended at the Board of Customs, Salt and Opium, on Monday, by invitation, to receive a communication from Government on the subject of advances

upon goods shipped through the Company during the ensuing twelve months. We understand they were informed by Mr. Parker, that the aggregate amount of such advances was to be limited to fifty lakhs, a sum considerably less than amount given during the last twelve months; and that he said it was the wish of Government to know what plan of distribution would be most generally approved. A suggestion was offered to confine the advances to Silk and Indigo, the two articles of most importance in the export trade to Europe: but this was very properly over-ruled by a liberal desire among (we believe) all the merchants who were present at the interview, not to favor one branch of trade at the expense of another. Some conversation also occurred about the possibility of some parties obtaining an undue proportion of the amount intended to be advanced, in the event of the present active competition continuing, by the accidental circumstance of their goods coming first to market. An Agency House connected with Indigo factories at a short distance from Calcutta will of course have an advantage in this respect over a House which should have factories at a greater distance, and the advantage would rise in a proportion exceeding that of greater extent of the Indigo concerns under the control or in the agency of the former. But this advantage being both fluctuating and accidental, it has fairly been considered inexpedient to endeavour to remove it by sacrificing the wholesome principle of giving the preference to priority, taking every application as it comes in until the credit opened shall be exhausted. If, however, it should appear that applications for advances are made with so much eagerness as to threaten the exhaustion of the whole credit in six months instead of twelve, we apprehend the merchants must expect to see the rate of exchange further advanced upon them, —while, per contra, it would naturally be reduced if Government found difficulty in procuring Bills for their financial remittance to the amount required.—*Comptroller, July 20.*

**Sampoor.**—The Nuwab, lately while tiger-shooting in the Surree, narrowly escaped being killed by a large lion, which exasperated at a wound it had received attacked the Nuwab's elephant, killed the Mubaut and was in the act of springing at the Nuwab, when he received a second and fatal gun-shot wound. The animal—a male—measured from head to tail 13 feet.

The death of Col. A. Cumming of the



Cavalry, promotes Bt. Col. T. Shubrick; of the 7th Cavalry, Major W. S. Beaton—Capt. A. Pope—Lieut. J. Free and Cornet C. Atkinson of the 10th Light Cavalry.—Col. S. Reid succeeds to the vacant half share of off reckonings.—The demise of Capt. D. P. Wood of the 17th N. I. promotes Brevet Capt. R. J. H. Birch and Ensign J. Sandeman of that regiment.—*Englishman*, Aug. 4.

We are sorry to announce that His Excellency the Commander-in Chief has been indisposed for some days past.—*Courier*, Aug. 3.

The undermentioned gentlemen have been admitted to pensions on the Civil Service Annuity Fund, paying for the same at one quarter value, under the rules as lately modified by the Court—with the privilege of quarterly payments, and payment up to the date of decease—Messrs. H. Douglas, C. Bayley, W. B. Martin, G. Saunders, T. Pakenham, W. T. Toone, R. Barlow, senior, R. Hunter, R. Saunders, H. J. Middleton, G. H. Trail. With annual payments up to date of decease—Messrs. J. A. Pringle, M. Ainslie, R. H. Tulloh. With annual payments excluding the broken portion of the last year of life—Messrs. C. Becher, J. H. Cuthbert, Honorable J. E. Elliot, C. Smith, the last gentleman commencing from the 1st of the present month.—Three other applications are before the managers—from Mr. J. W. Laing and Mr. W. Gordon, waiting for certain information required from the parties, and from Mr. C. J. Middleton now under consideration.

Runjeet Sing is steadily progressing towards the final subjection of Cabool: his recent conquest of Tonk has brought him within 70 Coss of it, and he has little to apprehend from Dost Mahomed's opposition; for, surrounded by difficulties of every kind, both from at home and abroad, Dost Mahomed is no longer formidable; indeed, accounts from Cabool give a most melancholy picture of this once powerful chief; his troops from want of pay mutiny upon every occasion, and his subjects are daily deserting him; so that, in a very short time, we may expect to hear of Runjeet's being in quiet possession of Cabool.

*An Important Order from the Hon. the Court of Directors.*—We have been obligingly favored with the following resolutions of the Hon. the Court of Directors. In pursuance of the direction, and by virtue of the powers given by the 47th section of the 8d and 4th William IV. chap. 85, the Court of Directors of the East India Company, with the approba-

tion of the Commissioners for the affairs of India, ordain as follows:—*Promulgation of Laws and Regulations.*—

1. Copies of all Laws and Regulations shall be communicated to the several functionaries appointed to carry them into effect, and shall be preserved in all Courts of Justice, and there be open to the inspection of all persons.—2. All Laws and Regulations shall be translated into the several native languages most commonly spoken, and printed, and sold at a low price.—3. The Governments of the several Presidencies will make such a distribution of the copies of the Laws and Regulations so to be sold as may bring them most conveniently within the reach of all persons, and will notify, in a public manner, where such copies may be procured.—4. The Governments will likewise, on the passing of any law and regulation, publish the title of it, and an abstract of its contents, in the Gazettes, and such other newspapers as are most generally circulated.—*Authentication of Laws and Regulations.*—1. The original copy of all Laws and Regulations shall be signed by the members of the legislative council by whom they shall be passed, and such copy shall be preserved in the archives of the Government of India.—2. Such copies of the several Laws and Regulations hereafter passed as shall be printed at the Government press, shall be admitted as evidence in Courts of Justice. Such copies so printed shall bear in the title-page facsimiles of the signatures of the members of the Council by whom the several Laws and Regulations may have been respectively passed.—*Are these orders obeyed?* No! Are copies of the Laws and Regulations accessible to the people in all courts of justice? No! Have they been translated into the several native languages? No! Are they sold at a cheap rate, and public notice given where they are to be procured? No! Do the Government, on passing any law, publish the title of it and an abstract of its contents in such of the newspapers as are generally circulated? No! It is true the conductors of these papers manage to get these laws and to publish them: but this is done at their option, and they may, if they think fit, stop up publishing them to-morrow. Government, in obedience to these orders, ought to publish the laws they enact in all the principal newspapers, and not leave the execution of the order to the discretion of every newspaper proprietor.—All laws are required to be signed by those members of Council by whom the several Laws and Regu-



tions may have been *respectively* passed. If we have correctly understood the intent and meaning of these instructions, we should ask do not these orders in some measure open the hitherto closed doors of the legislative council, and lay open to the public view something of what passes in that secret chamber? We are henceforward to have the laws brought to our doors,—nay, we are to be informed of the names of particular members of council who may have passed a law or protested against it. So that in future we shall have some chance of knowing to which of the members of the council we are indebted for the good we may get, and on which of them we are to look upon as being opposed to our welfare. These things have hitherto been kept a secret from us; but the time is come when we shall no longer be kept blindfolded in regard to matters which to us are of the most vital importance. We should, therefore, like to see these orders carried into effect, and the people enabled to know the progress which their emancipation is making. — *Reformer*, July 30.

A scene of rather an instructive nature took place in the Supreme Court at Calcutta, a few days ago, wherein the Chief Justice and one or two of the barristers were the actors. We record it as illustrating the very *different* notions Judges entertain of their importance in India, to those which govern the proceedings of our Judges in the courts in England. Here is the plot itself, as the "Englishman" of the 26th July gives it us:—"Mr. Clarke—Pardon me, that is not what I want to argue—I say, that, if the demurrers filed are good, I am entitled to my costs;—that if you refuse my costs, you treat the demurrers as bad, and that if the court refuse to hear me, they will then be determining against my client, without hearing all his counsel." Chief Justice—No. Mr. Clarke, we have made our decision, and will not hear you. Mr. Cochrane—My Lords, I am also with my learned friends and I am most unwilling to trespass on the time of the court after the intimation thrown out. But the second demurrer is taken on the ground that the other party should have applied for a re-hearing, and not that I filed his bill of review, and perhaps I don't sufficiently state it, in opening, to the court; but I am quite sure that your Lordships were to hear the circumstances of this case, as detailed even on the face of the decree—you would find ample reason for not inflicting upon my client the payment of

his own costs, especially when I shall endeavour to shew that the general demurrer ought to be allowed. Chief Justice—No. Mr. Cochrane, we won't hear you. We will not have the time of this court taken up. Mr. Cochrane—Well, my Lords, this is the first time in eleven years' practice in this country in which a court has made a client pay costs without giving his counsel an opportunity of being heard against it, and I trust it will be the last. Chief Justice—Mr. Cochrane, if you cannot address the court in a proper manner, you shall cease to practice in it. Mr. Cochrane—Your Lordship may act as you think proper, but I have only done my duty."—Thus, it appears that the court had given a decision without hearing the arguments which the suitor or rather his counsel in his behalf, had to use, as showing reason why he should receive his costs, and on the court being remonstrated with, it persists in not hearing what the party had to say, because it had given its decision! But why did it give its decision until it had heard what the suitor had to say? However, that is not a point which seemed of any importance with the court; it was enough it had given its decision. Then Mr. Cochrane comes to the charge, but he is as unfortunate, and, for his pains, is threatened with expulsion! This may do for the meridian of Calcutta, but there decidedly is room for much improvement.

*Lucknow*.—A crisis is now at hand; all the Europeans are to be discharged forthwith, this is certain.—The Padshah Begum is engaging troops to resist the determination of her dutiful son to turn her out of the city, we shall, in consequence, have some tumasha ere long. *Agra Ukhbar*, July 30.

*Simla*.—A hostile meeting took place recently at this station, between Mr. Fraser of the 7th Cavalry, and Mr. Rose of H. M.'s 11th Dragoons, in which the latter gentleman was wounded in the thigh, and so severely as to fracture the limb. His recovery is, however, expected to be rapid.

*CIVIL APPOINTMENTS*.—July 20, Mr. D. H. Crawford, writer, is reported qualified for the public service, and attached to the Presidency—Mr. G. Gough to be Salt Agent of Butoosh and Chittagong in room of Mr. C. G. Blagrove *dec.*, but will continue doing the duty of his present office at Tirhoot till further orders—Aug. 3, Mr. H. V. Mayley is attached to the Bengal Presidency—12, Mr. N. I. Halhed to be a temp. Judge



of the Courts of Sadder Dewanny and Nizamut Adawlat—Mr D. C. Smith to be a temp. Judge of ditto ditto—Mr W. Money ditto ditto ditto—Mr H. V. Bayley to be an Asst under the Commr of Revenue and Circuit of the 19th or Cuttack div.—15, Asst Surgeon R. H. Irvine, M. D. to perform the med. duties of the estab. of Agent to Gov.-Genl. in Rajpootana in addition to those of the Civil Station of Ajmere—23, Mr W. Blunt to be Special Commr under Reg. III. of 1828, for the div. of Calcutta, and to officiate as Special Commr under same Reg. for Moorshedabad div. till further orders—Mr C. Tucker, to be Special Commr under Reg. III. of 1828, for the div. of Moorshedabad—Mr T. H. Maddock to be Commr of Revenue and Circuit of the 11th or Patna div. in the room of Mr. Tucker—Mr G. F. Houlton to be dep. Collector of the district of Tirhoot, for the enforcement of Reg. II. of 1819, IX. of 1825, and III. of 1828—Mr F. J. Morris to officiate till further orders as dep. Collector of Patna, in the room of Mr Houlton—Mr W. Vansittart to officiate temporarily as joint Magistrate and dep. Collector of Balasore.

**CIVIL APPOINTMENTS BY THE GOVT OF AGRA.**—Aug. 12, Mr R. K. Dick to be a deputy Collector for the purpose of preparing, &c. the cases under Reg. II. of 1819, IX. of 1825, and III. of 1828, within the Allahabad division.

**MILITARY APPOINTMENTS, PROMOTIONS, CHANGES, &c., from July 18th, to Aug. 31st, 1836.**—The Sangor Div. order directing Asst. Surgeon C. J. Davidson 73d regt N. I., to proceed to Hussingabad and relieve Asst. Surgeon W. E. Watson from medical charge of civil and military duties at that post, confirmed—Infantry:—Major G. B. Bell to be Lieut-colonel from 11th July 1836 vice Lieut-colonel H. T. Smith transferred to the Invalid Estab.—29th regt N. I., Capt and Brevet Major D. D. Anderson to be Major; Brevet Captain W. Wise to be Captain of a company; Ens. C. A. Morris to be Lieut., from 4th July 1836, in succession to Major R. Hornby *dec*—68th regt N. I., Capt G. Young to be Major; Lieut S. J. Grove to be Capt of a company; Ensign J. T. Harwood to be Lieut.; from 11th July 1836, in succession to Major G. B. Bell promoted—Lieut J. R. Oldfield, corps of Engineers, to be Exec Engineer of the Rajpootanah Div Depart of Public Works, vice Capt B. Y. Reilly to Europe, to have effect from date of Capt Reilly's departure—The Neemuch station Order appointing Capt H. C. Hilleau 28th regt

N. I., to act as dep Judge Advocate at a genl. Court-martial at that station, confirmed—1st Lieut A. M. Seppings 1st comp 4th batt Art., to do duty with Assam L. I.—Asst Surgeon G. Dodgson of General Hospital, to do duty with H. M's 44th Foot, and directed to join—31st regt. N. I.; Lieut. G. Gillman to be Capt of a company; Ensign S. R. Tickell to be Lieut; from 4th Aug. 1836, in succ. to Capt J. M. Heptinstall *dec*—Asst Surgeon J. O. Smith to perform the med. duties of the civil station of Backergunge, vice Asst Surgeon Spencer *dec*—No 168 of 1836, the under-mentioned 2d Lieutts, Cornet, Ensigns, and Asst Surgeons, to rank as assigned:—Eng. 2d Lieut R. Pigou—Art. 2d Lieut T. Brougham—Cav., Cornet W. Wyld—Inf., Ensigns C. T. Cartwright, F. J. Thompson, T. Latter, W. K. Fullarton, R. Ferrie, R. H. Boddam, *dec.*, W. Lowther, J. N. Thomas, G. Ryley, T. H. Drake, S. Richards, A. W. Baillie, C. T. W. Boswell, H. N. Raikes, and J. J. Mackay—Medical Department, Asst Surgeons R. Marshall, M. D., G. Dodgson, J. Wood, and T. Sibbald—The under-mentioned admitted to the Service, as Cadets of Infantry on this Estab., and promoted to the rank of Ensign, leaving the dates of com. for future adjustment: Messrs. J. F. D'E. W. Hall and R. F. Fanshawe—Asst Surgeon A. Stewart, M. D., to medical duties of Salt Agency at Tumlook, vice Newton *dec*—Capt G. Andrews 64th N. I., to be dep. Asst. Adjt Genl. on the Estab., vice Captain J. M. Heptinstall *dec*—The under-mentioned admitted to the service as a Cadet of Inf., and an Asst. Surgeon, on this Estab. The Cadet is promoted to the rank of Ensign, leaving the date of his comm. for future adjustment:—Inf., Mr. C. Alexander; Med. Dep., Mr. S. H. Batson—the services of Asst Surg. A. Reid placed at disposal of Lt Governor of North West. Prov., for the purpose of his being re-appointed to the medical charge of the civil station of Boolundshuhur—No 172 of 1836—The following arrangements are made in the Depart. of Public Works:—Capt W. Sage is re-transferred from 5th or Benares to 3d or Dinapore div—Lieut P. Willis transferred from 3d or Dinapore to 5th or Benares div.—Capt C. Grant of Art. to officiate as Agent for Gun-carriages at Futtyghur, during absence of Captain Lumaden, or until further orders—Asst. Surgeon W. B. Webster, attached to Bhaugulpore Hill Rangers, to perform medical duties of the civil station of Bhaugulpore, during absence of Dr.



Innes—Brigadier C. Brown, M. B., regt of Art., and Colonel Sir T. Amburey, Kt. and C. B., corps of Eng., to the General Staff of Army, with the rank of Brigadier General; the former from the 22d and the latter from 24th Nov. next, in suc. to Brig. Generals Smith and White, whose tour on the Staff will expire on those dates respectively—Colonel H. Faithfull to be acting Commandant of Art., from 22d Nov., with the rank of Brigadier and a seat at the Military Board, vice Brigadier Brown—Colonel D. Macleod to be chief Engineer, from 24th Nov., with a seat at the Military Board, vice Col. Sir T. Amburey.

**REMOVALS AND POSTINGS.**—Lieut. col. S. Swinhoe, 43d regt to 73d N. I., vice Smith invalided.—Ensign E. W. Hicks 72d to 67th regt N. I.—Lieut. col. W. Dunlop, 29th to 67th regt N. I.—Lieut. col. J. Hunter, 51st to 29th regt N. I.—Lieut. col. W. A. Yates, 67th to 51st regt N. I.—Lieut. col. G. W. A. Lloyd, 52d to 43d regt N. I.—Lieut. col. G. B. Bell (new prom.) to 52d regt N. I.

**FURLONGHS.**—Brevet-col. W. H. Kemm, 41st N. I. (prep.)—Lieut. N. D. Barton 6th L. C. (prep.)—Lieut. E. S. S. Waring 6th L. C. (prep.)—Capt. C. F. Urquhart, 54th N. I. (prep.)—Lieut. Interp. and Quarterm. C. M. Gascoyne 5th L. C. (prep.)—Capt. J. Marshall left wing Eur. regt (prep.)—Captain P. O'Hanlon 1st L. C. (prep.)—Lieut. T. James 21st N. I. (to sea)—Lieut. J. Sutherland, 56th regt N. I. (prep.)—Lieut. Interp. and Quarterm. G. W. Bishop 71st N. I. (prep.)—Ensign T. S. Horaburgh, 32d N. I.—Ensign C. E. Goad, 67th N. I.—Captain G. H. Robinson, 34th N. I.

**RETIRED FROM THE SERVICE.**—Mr. G. Stockwell, C. S. date 19th Aug. 1836.

**RETURNED TO DUTY.**—Lieut. J. Bracken 29th regt N. I.—Lieut. J. Remington, 12th N. I.—Lieut. G. Timins, 34th regt N. I.

**QUALIFIED IN THE NATIVE LANGUAGES.**—Mr. D. H. Crawford, C. S.—Mr. H. V. Bayley, C. S.—Messrs. A. Littledale, A. Turnbull, and R. T. Tucker, writers.

#### GENERAL ORDERS.

*The Result of Col. Dennie's Court-Martial.*—In compliance with instructions received from the Right Hon. the General commanding in chief, his Excellency the Commander-in-chief in India is pleased to direct the publication of the following extract from the proceedings of a general court martial assembled at Cawnpore on the 5th Dec., 1834, for the trial of Lieut. colonel Den-

nie, his Majesty's 13th Light Infantry.—[Here follow the 28 charges preferred by Lieut. Brownrigg against Col. Dennie, and finding "not guilty" to each of the charges, and each count of charges.]—"The court having found the defendant, Lieut. colonel W. H. Dennie, C. B., of his Majesty's 13th L. I. regt, not guilty, on each and every charge, does fully and most honorably acquit him of the whole and every part thereof: and further, the court considers that these charges are throughout frivolous and vexatious." Remarks by the Court:—"The court having thus fully and most honorably acquitted Lieut. colonel Dennie, C. B., of all the several charges of which he has been arraigned, and having declared them frivolous and vexatious, and considering them brought forward from motives of personal malice, and consequently in no way for the benefit of the service, feels itself called upon to express an opinion, which, in its regard for that feeling of subordination and discipline, on which the honor and credit of his Majesty's service must ever depend, it is bound to record. The court having given their patient attention to the investigation of these 28 charges, some of them of several counts, preferred by the Adjutant of the regiment against his commanding officer, avowedly to revenge himself for the consequences of public condemnation for gross misconduct, which that commanding officer was compelled by a sense of duty, and proper regard for the discipline of his regiment, to notice.—The delay in the promulgation of the sentence on Lieut. Brownrigg for a period of nine months, has added to the anomalous position of the court, as in the midst of proceeding, the prosecutor, who had been cashiered, became the informant.—The court regrets that some previous enquiry had not been entered into as to the validity of those charges and the means of establishing them; had such taken place the discipline of the service would have been spared the shock, which, in the opinion of the court, it is likely to sustain from the unprecedented circumstance of twenty-eight charges being submitted to a general court-martial, without sufficient evidence to establish any one of them. It is not within the province of this court to question the motives which induced this trial, but the lamentable results which it has already witnessed, and its fears of the further bad consequences of such a system of reprehensible litigation, render it an imperative duty to record its opinion, that the result is inju-



rious to the discipline and reputation of the army.—“The long period during which Lieut.-col Dennie, C. B. has been kept in most painful suspense and mental distress, could not but weigh with the Court, and any necessity arisen for their lenity, and in promulgating their sentence of full and most honorable acquittal, they consider it but justice to express their deep regret that so distinguished an officer as Lt.-colonel Dennie, C.B. should have been subjected to so harassing and painful an ordeal in vindication of an honorable and unfurnished reputation.” Thursday, 19th March, 1835.—“The court, pursuant to instructions to that effect, met this day in the assembly-rooms at Cawnpore, at 11 o'clock A. M., for the purpose of revising its finding upon fifteen of the charges preferred against Lieut.-colonel Dennie, C. B., of his Majesty's 13th Light Inf., as enumerated by command of his Excellency the Right Hon. the Commander in chief. The names having been called over by the Deputy Judge Advocate General, and the President and members, with the exception of the 2d on the list Colonel Robert Arnold, H. M.'s 16th Lancers, absent on leave from the station; being assembled, the Judge Advocate General produced and read the above mentioned instructions as conveyed to the court in a letter from Lieut. R. J. H. Birch, the deputy Judge Advocate General, in charge of the Judge Advocate General's office, No. 100, and dated Head Quarters, 5th of March 1835, and which letter is set forth in the appendix to the proceedings.—The court having fully weighed and re-considered its former finding upon the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 15th charges, together with the observations thereupon submitted to it in the deputy Judge Advocate General's letter of the 5th inst., does hereby confirm the same, and sees no reason to cancel its remarks, and adheres to them. Which finding of the court is confirmed by Lieut. General,—the Hon. Sir R. W. O'Callaghan, K. C. B. &c. &c.—By his Excellency the Commander-in-chief in India:—In making known to the army the foregoing finding and sentence of this court-martial, his Excellency the Commander in chief in India, has to communicate the sentiments of the General commanding in chief his Majesty's Army, as expressed in the following paragraph of a letter, dated Horse Guards, 29th Feb. 1836:—“I have observed with deep regret that the court, in the remarks which it has

annexed to its finding of acquittal, has so far departed from the proper line of its duty as to arraign, in terms not to be mistaken, the conduct of the highest military in India, in directing the proceedings in question to be instituted against Lieut. Colonel Dennie, which proceeding, his Lordship adds, has a tendency to impair the discipline and good order of the service, and of which course of conduct his Lordship makes known his entire disapprobation.”—*Englishman July 25*

**MARRIAGES**—May 23, Serjt Major G. Sowery, 6th regt to Miss L. Thorby—July 4, at Cawnpore, Lieut. J. H. Daniell, Adj. H. Art, to Lucy, youngest daughter of the late Brigade Major Bristow—12, at Cawnpore, J. W. Muir, Esq. C. S. to Eliza, 2d daughter of N. Denny, Esq. Cambridge Terrace—18, Mr. L. Flood to Miss E. Gunning—Mr. H. Pereira to Miss L. Esperanca—20, Mr M. A. Minoss to Mrs J. F. Berry—21, Rev. C. E. Driberg to Sophia, daughter of Lieut.-col. C. French, H. M.'s 28th foot—28, Douglas Crawford, Esq. C. S. to Gertrude Whitmore, 2d daughter of G. W. Anderson, Esq. Bombay C. 8.—Aug. 18, Mr R. Rivers to Miss R. Green—23, Mr J. W. Inglis to Miss E. Hodgkinson—26, Mr P. Holmes to Phoebe, 4th daughter of the late Rev. J. Lawson—27, John Kelso, Esq. to Mrs E. Churcher.

**BIRTHS**—May 2, Mrs A. J. Joseph of a daughter—14, at Noacolly, the wife of Mr W. Jackson of a son—29, at Mussoorie, the lady of Capt T. Roberts 51st N. I. of a daughter—June 10, at Akyab, the wife of the Rev. Mr J. C. Fink, Missionary, of a daughter—24, at Lucknow, the lady of Major R. W. Pigson 47th regt N. I. of a daughter—29, the lady of R. Stewart, Esq. of a son—at Howrah, Mrs J. W. W. Linton of a son—July 5, at Lrudour, the lady of Lient Wilmer, 16th Lancers of a daughter—7, at Jaujemour, Cawnpore, the lady of J. R. A. Amman Esq. of a daughter—at Benares, the wife of Mr. E. Townsend of a daughter—8, at Muttra, the lady of Lieut F. B. Boileau 3d troop 3d brig—11, H. Art. of a son—9, at Hazareebagh, the lady of Captain F. T. Boyd, dep. Asst Comm. Genl. of a son—17, the wife of Mr. J. L. Dunnett Vet. Surgeon of a son—18, Mrs H. B. Gardiner of a son—20, at Kidderpore, the lady of the Rev. J. Mc Queen of a son—21, Mrs J. G. Crowe of a daughter—Aug. 5, at Cawnpore, the lady of Surgeon M. S. Kent, 7th L. C. of a daughter.—9, at Coel, the lady of E. Tritton, Esq. Civil Surgeon, of a son—



10, Kyookphod, the lady of Lieut J. Erskine, 40th regt N. I. of a son, since dead—12, at Cawnpore, the lady of Lt. C. Carter, H. M.'s 16th foot, of a daughter—14, at Goruckpore, the lady of A. P. Currie, Esq. C. S. of a daughter—15, at Cawnpore, Mrs. H. Howard of a son—17, Mrs J. C. Pyle, of a daughter—19, the wife of the late J. Brown, Esq. of Barrisaul, of a son—20, at Serampore, the wife of Mr W. C. Barclay of a daughter—the wife of Mr. T. Bartlett, H. C.'s marine, of a son, still-born—the wife of Mr R. Deefholts of a son—22, the wife of Mr. P. D. Trezevant of a daughter—at Allipore, Anna, wife of Mr. J. Floyd, junr. of a son—23, at Benares, the lady of Lieut, F. W. Burkinyoung, 5th regt N. I. of a son—Mrs C. N. Mayer of a daughter—at Barrackpore, the lady of Lieut F. R. Ellis 41st regt N. I. of a son—24, the lady of J. Avdall, Esq. of a daughter—Mrs R. J. Carbery of a son—26, Mrs J. Rebello of a son—27, Mrs J. Wells of a son—27, at Jessore, the lady of H. C. Metcalfe, Esq. C. S. of a son—30. Mrs M. Augier of a daughter.

**DEATHS.**—Mr J. Curado—June 6, at sea, on board the bark "Sophia," Mr J. Thompson, 2d officer—7, at Allahabad John, infant son of Staff Serjt J. Moffatt—9, at Saugor, Richard, infant son of Major C. R. W. Lane, 2d regt N. I.—10, at Gyah, Mary, only child of J. S. Dumergue, Esq. C. S.—at Moulmein, Eliza, infant daughter of Lieut C. Gordon, 13th N. I.—26, Mrs N. Taylor—Mr T. Burton—28, Mr. G. Crahley—30, at Agra, the wife of Lieut W. I. Parker, H. Co.'s European regt—at Delhi, Isabella, infant daughter of Mr. E. B. Kinsey—July 6, Margaret, infant daughter of Mr W. H. Jones of Dinapore—at Saugor, Eliza, infant daughter of Mr D. Poley—8, at Kurnaul, Edward, son of Major Tronson, H. M.'s 13th L. I.—14, at Gya, Honoria, daughter of F. Gouldsbury, Esq. C. S.—17, Frances, youngest of Mr J. Landeman—19, Mrs B. Sunbolf—William, son of Mr. P. Timms—Mrs M. L. Howe—Aug. 1, Mr. C. L. Smartt—4, at Meerut, Captain J. M. Heptinstall, dep. Asst Adj. Genl—15, at Bhaugleypore, Fanny, infant daughter of Lieut Newbolt—16, at Monghyr, Susanna Julia, eldest daughter of H. Clarke, Esq.—17, at Dacca, J. P. M. David, only son of the late P. M. David—18, at Allahabad Mr. G. T. Conolly—21, Eliza, daughter of the late Mr. E. Dochriell—22, at Jessore, Mr. L. T. McCowan—Richard, son of Mr. John Paul—24, Mary, daughter of Mr. C. N. Mayer—William, son of Mr. G. D. Kirby—26, Mr. R. Harris—Eliza-

beth daughter of Mr H. S. Ham—Sally, daughter of Mr John Albert—Anne, wife of Mr J. de Santos—27, Mr Henry Bruce—Henry, infant son of Mr A; Aldwell—28, R. McClintock, Esq.—30; Mary Emma, 3d daughter of Mr G. Kirby—Ann, wife of Mr, F. Grose—Miss Harriet Swiney—Mr W. Mackie—31, Charles, son of Mr W. Chapman—Mr. J. Godfroy, midshipman.

### Madras.

**MILITARY APPOINTMENTS. PROMOTIONS, CHANGES, &c. from June 11th to 1st July.**—Brevet Captain H. Morland 27th regt N. I., to be an Asst Surveyor General, attached to Hyderabad Survey, to take temp. charge—Lieut H. C. Gosling 7th regt N. I., to act as sub Asst Comm. General till further orders—Surgeon H. S. Fleming to be medical Storekeeper at Pres. vice White promoted; and Surgeon H. S. Fleming to continue to officiate as Secy. to Med. Board till relieved—The Rev. H. Cotterill, B. A., to be a Chaplain on Madras Estab—Lieut W. Garrow 9th regt; to act as Quarterm. and Interp. till further orders—Lieut P. Shaw 34th L. I., to be a member of Committee at Fort St. Geo. for investigation of Pension Claims—Art: Senior 1st Lieut J. Back to be Capt, and Senior 2d Lieut A. C. Pears to be 1st Lieut, vice Heles retired; date of commissions, 5th August, 1835—Super-numerary 2d Lieut F. C. Vardon to be brought on the Effective strength from 5th August, 1835, to complete the Estab.—28th regt N. I, Senior Lieut H. T. Yandle to be Captain, and Senior Ensign C. Lamb to be Lieut, vice Bradford retired; date of commissions, 11th January, 1836—The promotion of Asst Surgeon R. Power, *dec.*, in G. O. 5th February, 1836, vice Reid retired, is cancelled—2d regt L. C. Lieut F. J. Carruthers to be Adjt—Capt R. E. Boardman, 7th regt N. I, relieved from duties of Com. at Fort St. George, for invest. claims to pension—Art: Senior 2d Lieut J. K. R. Timms to be 1st Lieut, vice Harrison resigned; date of commission 2d February, 1836—Senior 2d Lieut F. B. Ashley, to be 1st Lieut, vice Carruthers, *dec.* date of commission, 4th June, 1836—Super, 2d Lt. W. B. Stevens and J. W. Goad, to be brought on the effective strength; the former from 2d February 1836, and the latter from 4th June, 1836, to complete the estab—11th regt N. I. Senior Lieut H. Griffith to be Capt and Senr Ens. G. Sturrock to be Lt, vice Robertson *dec.* date of comm. 7th June 1836.



THE  
EAST INDIA AND COLONIAL  
MAGAZINE.

THE NEW BANK FOR INDIA.

We deeply regret that, from various causes, we have not had an opportunity of pursuing our remarks on the important subject of a bank in this country for India, or of noticing the pamphlets put forth by parties in this country, interested in preserving and upholding the old and infamous system, by which no one can be benefitted but themselves. We allude to those of Mr. J. Horseley Palmer, of the firm of Palmer, Mackillop, and Co., and of a Mr. Spier, a member of the Calcutta firm of Cockerell and Co. under the title of an "Indian Merchant." We shall, however, do so, contenting ourselves for the present with the following extracts from other sources, which afford sufficient evidence to prove that our advocacy of such an establishment is founded upon facts and data not to be set aside by the fumes of ignorance, or the blindness of self-interest :—

*To the Editor of the Bengal Hurkaru and Chronicle.*

"Sir.—Every person engaged in any kind of trade out of Calcutta, must have daily felt the loss and annoyance arising from the want of proper banking establishments in this country. The Company, as the great landlord, should have known that it was their duty to promote institutions of this nature; and if their views had ever extended beyond immediate gain, they would have known that it was no less their interest. With an influx of European skill and capital, with roads and bridges, with a currency equal to the wants of the country, and with a free circulation of bank notes, &c., this naturally rich country might soon yield without oppression, a revenue of 100 millions sterling. But we have ceased to look for any thing but shortsighted selfishness from that "accursed commercial and political monopoly," as it has been called by a celebrated person who saw and could well judge of their proceedings. Besides, it is not desirable that any



government, and especially one so unscrupulous as ours, should be connected with banking establishments without some security against improper interference.

"I cannot help thinking that any banking company in Calcutta might extend its operations by means of branch banks over the whole of Bengal, with advantage to themselves, and with great advantage to the country. I think the increased circulation of their notes and discount on drafts, &c., would afford a remunerating profit to the parties. The advantage that would accrue to the country, I think will appear, if we consider what a rude and clumsy contrivance rupees are for the payment of large sums, the difficulty attending their conveyance, and risk of robbery in a country without roads. Now if bank notes could be readily cashed (they would be readily taken, and payments would be effected without trouble and risk; whereas at present, we have to pay from two to three per cent. for the cashing of bank notes, (which won't circulate) and when we get the rupees, we find them troublesome to convey to any distance.

"25th May, 1836.

"AURUNG."

The following remarks appear in the *Times*:—

"By the private accounts from Calcutta, which are to the 19th of July, by the *Lysander*, it had been officially notified to a meeting of merchants convened in that city on the 18th, that the supreme government had come to the determination not to advance on the shipment of produce to London more than 50 lacs during the season ending the 30th of April, 1837. The amount advanced the preceding year was 104 lacs; and of the 50 lacs intended for this year, 8 had been already advanced, and it was expected that the remaining 42 would be fully exhausted before December. It appears also that the Indian Government has raised the rate of exchange to 2s. 1d. the Company's rupee, equal to 2s. 2d. the sicca rupee; and it was apprehended, should the demand for advances come fast upon them, that the exchange will be progressively increased throughout the year. From the impossibility of procuring capital in India to supply the place of that so unexpectedly withdrawn, it is apprehended that the above measures will give rise to serious difficulty and embarrassment; and occasion a very considerable depression of prices. Urgent representations are consequently made by the establishments in India to their correspondents at home of the advantage, and even necessity, of adopting immediate measures to supply them through the medium of bills, goods, or bullion, with the means requisite for carrying on the trade of India, which must otherwise be very prejudicially affected. Some hopes are entertained here that the Court of Directors will instruct the Indian Government to continue the advances as heretofore until a sufficient previous notice shall have been given to enable the commercial community to make arrangements for providing the necessary funds, or until other measures shall have been adopted for insuring to India a certain source of supply adequate to the existing wants."



The following is from the "Calcutta Courier," which is edited by a gentleman who was a member in the first commercial establishment in the world—that of the late firm of Palmer and Co. :—

" But suppose—a thing not unlikely—the projectors do not abandon their scheme, because they cannot carry it through in all the extension they desire, and content with the half loaf of a charter (not exclusive) from the Crown, set up their branches at Calcutta, at Madras, at Bombay, at Colombo, at Singapore, what will be the effect of their banking operations at these several places? A beneficial one to trade, we answer without reserve, provided they are managed with any degree of discretion, and particularly in those places where at present there is no bank: there the facility of obtaining discounts and loans upon security or good credit will be an important aid to mercantile operations. Here that facility already exists, perhaps to the full extent of what may be considered a wholesome stimulus to commerce; and the competition between the two existing banks is both an excellent check to arbitrary rates and rules, and causes the customer to be invited in upon easy terms, instead of being treated as a dependant suitor, whose necessities it is the fair privilege of a monopolist to make the most of. Already the banking rates are kept down by this competition—if a third bank step in with an enormous capital seeking employment, the natural effect will be to pull down the rates much lower, to a scale nearly corresponding with those current in Europe, and at the same time to lessen the amount of business transacted at the other Banks. The present premiums upon Union and Bengal Bank Shares, must in that case be expected to tumble down very considerably. This has been foreseen in England, and we hear that a large proprietor of Bank of Bengal Shares, wrote by the last overland mail peremptorily to sell his shares forthwith, and to remit the proceeds for investment in this new concern.

" There is no doubt that the Bank of India, with its three millions of capital, might do a vast deal of good in this country by the mere employment of its capital, with or without the multiplying aid of a note circulation. If the Bank of Bengal continue to confine its operations to Calcutta, the Bank of India might establish branches or agencies in the interior—at Patna, Dacca, Benares, Mirzapore, Delhi, and in every great town of traffic in the three Presidencies of India. The business available will not only be such as would be competed for by the shroffs, namely, ordinary discounts and the business of *hoondcarran* or exchange operations, in which, as far as natives only are concerned, the shroffs would probably have some advantage; but a variety of transactions with Europeans, planters and others, such as the Agra Bank, though not very favourably situated for the purpose, now employs. By such means, an independent planter might be enabled to complete his outlay without assistance from an agent in Calcutta; a trader settled in Mirzapore, with a small capital of his own, might turn over three or four times the amount of it every month in purchasing Cotton for houses in Calcutta; without drawing a rupee from their resources till the arrival of the goods; and even to a certain limited extent, Captain Tuckett's plan of advances upon grain, (which he



wished the Government to undertake), might be carried into effect by establishing convenient and secure depots, at the principal marts. In short, there is abundant opportunity in India for the employment of capital with good security at moderate rates of interest, in banking and agency operations quite unconnected with the government of the country; and the effect of bringing forward a very large real capital for such employment will be in a short time to render available, through the credit of the establishment, as much more now unemployed capital of Europeans and Natives, in the shape of deposits with or without interest: so that the stimulus to commercial, manufacturing and agricultural industry, created by such a bank, might be twice as great as the mere addition of its own capital to the circulation of the country could produce. That indeed is one of the great advantages of concentrated capital, that in the steam boiler of active intelligence, it acquires a force of expansion that will set at work the heaviest and most torpid machinery, and multiply its products to an unlimited extent. Entertaining these opinions of the great power to do good which such an association must possess, we heartily hope that the Bank of India will take effect, and that the necessary abandonment of the over ambitious and impossible parts of the scheme will lead to an extension of its views to other more useful objects."

*Account of a Man who submitted to be buried alive for a month, at Jaisulmer, and was dug out alive at the expiration of that period.—Communicated by H. M. Twedell, Esq.*

*(To the Editor of the India Journal of Medical and Physical Science.)*

Philosophers, ancient and modern, have agreed, that the improbability of an act is not to be taken as a conclusive argument against its possibility. So far as we are enabled to distinguish, there are no fixed bounds to man's ingenuity or artifice. Circumstances which appear strange and unaccountable in the eyes of the wise men of the present day, may be familiar to the comprehension of those forth-coming philosophers, the F. R. S.—s and A. S. S.—s of the 20th and 21st centuries. The exploits of the salamander lady, La. Sonat; of the Fire King, of Lancet notoriety; of the woman who exhibited on the stage, supporting the weight of a huge anvil on her chest, whilst a horse shoe was forged; of those Epicureans, par excellence, who make their mouth a receptacle for molten lead, boiling oil, live goats, and such like diableries; and of those wholesale digesters of opium corrosive, sublimate, prussic acid, and other anti-hygienical substances; the exploits of those, and of other martyrs of notoriety, whose delusive arts are familiar to the reader's memory, may appear as mere bagatelles in comparison with the superior accomplishments of the hungry charlatans of our intellectual



posterity. Even the account furnished in this paper, which to us appears so extraordinary, may be only interesting to future philosophers, as the first of a series—as the first well authenticated record of man's power over animal life; shewing, that air, food, and water, are not so entirely necessary to sustain existence, as our simple physiologists hitherto have instructed us to believe; that, to consign a body alive to the silent tomb, is not (to a proficient in the art of double tonguing) that fearful, fatal punishment, which the Romans believed it to be, when they held it, in *terrorem*, over the heads of their vestal virgins, and which we, in equal ignorance, still have thought to be so frightful and appalling; and that man may betake himself to the solitude of the grave, and pass away a month or so, as comfortably as the Canadian bear in the trunk of a tree, if assured, that some friendly hand, armed with a good pick-axe or shovel, will be exerted to waken him from his reverie, at the appointed hour.

The facts and circumstances which are detailed in this account, were communicated to me, within these few days, by a gentleman, from whom I obtained permission to make them public. For the sake of greater accuracy, he consented to my taking a copy of a letter written by him to his family on the day that the grave was opened, and the buried man resuscitated. The letter I have his permission to publish.

“ I have just witnessed a singular circumstance, of which I had heard during our stay at this place, but said nothing about it before, the time for its accomplishment not being completed: this morning, however, the full month was over, and a man who had been buried all that time, on the bank of a tank near our camp, was dug out alive, in the presence of *Esur Lal*, one of the Ministers of the *Muhar wul* of Jaisulmer, on whose account this singular individual was voluntarily interred a month ago. He is a youngish man, about thirty years of age, and his native village is within five kos of Kurnaul: but he generally travels about the country to Ajmeer, Kotah, Endor, &c., and allows himself to be buried for weeks, or months, by any person who will pay him handsomely for the same. In the present instance, the *Rāwul* put this singular body in requisition, under the hope of obtaining an heir to his throne, and whether the remedy is efficacious or not, it certainly deserves to be known.

“ The man is said, by long practice, to have acquired the art of holding his breath by shutting the mouth, and stopping the interior opening of the nostrils with his tongue; he also abstains from solid food for some days previous to his interment, so that







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examined, and measured with his walking stick, the grave in the floor of the chamber in which the man had been buried, and also the two slabs of stone which had been used to cover the mouth of the grave. For seven or eight days preceding the burial, the man lived entirely upon milk, regulating the quantity so as to sustain life, whilst nothing remained to give employment to the excretory organs. In that state he was buried. He confesses to have great dread of the white ants. Several folds of cloth were spread on the bottom of the grave, to protect him from their attacks. On taking nourishment after his release, he is said to be in a state of anxiety, until he has ascertained that the powers of his stomach and intestines are not impaired. Lieut. Boileau saw nothing more of the man, he understood that he regained his strength, and was for some time in attendance at the dubar of the Muharâwul, in the hope of his receiving his promised reward, and that, tired of waiting until the purse-strings of his patron were loosened, he had stolen a camel, and decamped.

As this account presents facts so opposite to our received notions of the phenomena of life, it is to be hoped, that those who have it in their power to furnish further information on the subject, will not hesitate to do so. A communication from Lieut. Macnaghten, under whose observation the fukeer was suspended in a box for thirteen days, is particularly desired; also from Captain Trevelyan's recollections of the matter, some interesting facts might be gleaned. Scarcely thirteen months have elapsed, since the report of the man's flight from the court of the Muharâwul, reached Lieut. Boileau. It is therefore probable, that he is still alive, and if assured of meeting with a better paymaster than his late patron, that he may be induced to furnish the opportunity for taking a minute and accurate account of his method of operations.

Until further information is obtained, it might be thought precipitate to theorise on the probable means by which this strange being maintains the mastery over the functions of life. Yet there is one paragraph in Lieut. Boileau's letter, bearing on this point, on which some remarks are admissible. The paragraph alluded to runs thus:—

“The man is said, by long practice, to have acquired the art of holding his breath by shutting the mouth, and stopping the interior opening of the nostrils with his tongue.” If this be the case, it is supposed that he exerts this power as soon as he finds himself comfortably settled in his grave, before the small quantity of vital air with which he is surrounded, is deteriorated. To



force the tongue in the pharynx, and to retain it there until respiration is suspended; it is requisite that the jaws should be closely united. In Lieut. Boileau's letter, it is mentioned that "his teeth were jammed so fast together; that they were forced to open his mouth with an iron instrument.\*" Of the state of his tongue, nothing was remarked. It is now well known that the slaves in South America, exert this power of the tongue to obstruct respiration, and occasion death.\*

In the last number of the Quarterly Review which has been received in India (for Dec. 1835), there is an article on the foreign slave trade, in which the following passage from "Notices of Brazil in 1828-1829," by the Rev. R. Walsh, L.L.D. is quoted. "The wretched slave often anticipates the result, by inflicting death upon himself in an extraordinary manner. They have a method of burying their tongue in the throat, in such a way, as to produce suffocation. A friend of mine was passing when a slave was tied up and flogged: after a few lashes, he hung his head, appearing lifeless; and when taken down, he was actually dead, and his tongue found wedged in the oesophagus, so as completely to close the trachea." From this it appears, that the slave who by this action of his tongue, provokes death, hitherto has been supposed to be dead, and after a superficial examination (and in many instances, perhaps, no examination at all), his body has been consigned to the grave.

The idea that life was only suspended, and was recoverable by artificial means, if it ever entered the imagination of the party most interested—the slave-owner—cannot have led to a favourable result, or the practice itself would have been discontinued; hence, for the sake of humanity, putting all feeling of curiosity out of the question, it is desirable that accurate information should be obtained on the means by which the un-dying fukeer, the subject of this account, succeeds in retaining the principles of life under circumstances which present such physical objections to its existence. If the man be alive, the assurance of a proportionate reward may induce him to disclose his mode of action. To prove his honesty, he might be confined for a short time in a comfortable box, limited with baize, and fitted with glass doors, by which his proceedings could be accurately observed, and compared with his

\* There is a case published by Dr. Cheyne, in the "Philosophical Transactions," I believe, of a man who had the power of suspending his animal functions—and who performed the experiment *once too often*—death, whose presence he had stimulated so admirably, charmed him in good earnest. Can Mr. Corbynt put his hand on this case?

† We will endeavour to comply with our correspondent's request, and insert the case in our next.—EDIT.



disclosures. In the mean time, it may be supposed that the public notice of his extraordinary powers will attract the attention of physiologists in both hemispheres, and more particularly of the Brazilian slave-owner. The hint thus conveyed, that in case of suffocation by the tongue, death may be simulated, and that life may be restored by the means usually employed in cases of suspended animation, will not be thrown away upon the latter. That the wretched slave, who may be balked in his efforts to obtain in an easy death, a release from his misery, will be grateful for the information, is not to be expected; unless indeed, his master from motives of self interest is induced, or by the arm of authority is compelled, for the future to extend to his helpless victim the kindly feelings of humanity.

*Bancoorah, June 8, 1836.*

### STEAM COMMUNICATION WITH INDIA.

A Writer in a Morning Journal has put forth some very judicious observations bearing pro and con upon the subject of steam communication with India, *via* the Red Sea. As he fully enters, in his communication, on a general survey of the topic in question, and thus evidences a close acquaintance with it, we have been led to transfer a principal portion of it to our pages. We would point attention to the writer's strictures on the reception the subject of steam communication with India has met with from the East India Company. Instead of being the first to come forward in carrying into effect a measure which all India loudly demands, the Directors of the Company treat the matter with the most culpable neglect; which would not be the case in a question affecting their own patronage.

"As I happen to be familiar with what is going on in certain quarters, and see with regret the termination which, unless a timely direction is given to the public movement on the subject, is likely to be the result of all our hopes, allow me to enlighten your readers as to what is the present state of the question, so that all who are anxious to exert themselves to promote the good cause, may have the opportunity afforded them of doing so effectually.

"The public feeling on the question of steam communication with India is now so sensibly roused, that the fear no longer is, whether the project will be carried into effect, but if, when done it will be well done. Neither is there a doubt as to which route will be adopted, that by the Red Sea being so



clearly proved to be the only eligible one; that I conceive it to be a mere waste of argument, and misdirecting public attention from the real difficulties of the case, to canvass or compare the merits of any other. It will perhaps appear almost incredible, that there should be enemies to a measure which has been proved beyond any contradiction to be an inestimable benefit both to the giver and receiver, to Britain and to India; and it will sound still more strange to many, that the directors of the East India Company, the very parties who ought to be foremost in promoting the measure, are those who have been all along most adverse to it, and will even now, if not overruled by better counsels and by public opinion, thwart and render nugatory the efforts of those warm friends of India who are ready, at every sacrifice to themselves, to establish the much-wished-for communication.

“Two years since, this question was so powerfully agitated, that a committee of the House of Commons was granted to the petitioners for steam communication with India, who recommended its immediate establishment; and also that aid should be given towards the Euphrates expedition under Colonel Chesney for the purpose of testing the merits of that route. Previously to the passing of that resolution, the East India Company opposed the establishment of steam communication with India without the slightest disguise, their object being to prevent so ready and rapid a channel of communicating to India, and thus strengthen the barrier which time and space presented to complaints from India being referred for redress at home. In short, their own natural timidity and desire to govern with as much ease as possible, led them to resist the measure so long as they could do so with a good grace, or even at all. The resolutions of Parliament, however, derived as they were from a most able report and voluminous evidence on the subject, led them so far to defer to the public wish as to give an apparent sanction to the project. They were naturally the parties who were then looked to to carry out the recommendation of that committee to establish steam communication with India, *via* the Red Sea, into effect, and to take the lead in maturing, in conjunction with Government, a measure that would fully realize that suggestion. But their enmity to it could not be entirely overcome even by the evidence adduced in its favour, and whilst they “flattered us to the ear they disappointed us to the hope.” Finding they could no longer utterly oppose, they resolved to temporise, and selected what they thought of two evils would be the least, and with the almost certain conviction of its failure, patronised the Euphrates expedition, by which means they postponed the settlement of the grand ques-



tion, and soothed public feeling on the subject by letting it be supposed that they were seriously desirous to establish an over-land communication with India, and were cordially testing the merits of the Euphrates route with that view. To the public generally it mattered little how the communication was established; to them the details and minutiae of the advantages of either route were not familiar, and since the difference in point of time between the two was not material, they were quite content with the Company's pretended wish to bide the event of Colonel Chesney's expedition, and thought it but reasonable that its results should be ascertained before uselessly agitating the subject again. There were others, however, who saw clearly that the route by the Red Sea was the line which must ultimately be selected; that the Euphrates one was liable to objections and beset with difficulties, which would render it always uncertain, and lead to its being eventually abandoned. But even those who saw this, and who at once detected the actual motives of the East India Company, whilst deeply regretting the needless delay which this experiment would inevitably produce in retarding the fulfilment of the real object in view, felt no little interest in the success of Colonel Chesney's expedition, as one that would set the Euphrates question, as a route to India, to rest at once, and thus leave that by the Red Sea free from all competitors. Agreeably to their anticipations, that expedition has proved a complete failure, as far as its object of establishing a communication with India was concerned; and on this result being ascertained beyond a doubt, men's minds naturally turned to inquire what was next to be done? Why the resolutions of the House of Commons, recommending the Red Sea route, had been so utterly neglected? But expectation waited in vain for some demonstration from the East India Company or the Government that such reasonable hopes would be realised. It was very far from the Company's intention to come forward in its support; and if no fresh stimulus had been given to the subject, gladly would they let it sink altogether, with the unfortunate Tigris steamer, in the river Euphrates. Here, happily, however, a new era in the history of this struggle for the attainment of steam communication with India began to dawn upon us, and a powerful impetus to be given to it, for which the East India Company were little prepared, and in dealing with which they have been obliged to change their whole system of tactics. This stimulus presented itself in the form of an association lately established, for the purpose of carrying on steam communication with India, on such a basis, as to embrace in equal advantages not only all the three



presidencies of India, but China and Australia. Are your correspondents aware of the existence of such an association? if not let them now learn that there has been brought forward a well-matured plan for extending to all India the benefit of monthly steam-intercourse, *via* the Red Sea; that its members consist of the leading East India merchants, who have subscribed such a sum as have enabled them already to lay their proposals before Government and the East India Company, and offer, on certain conditions and under due restrictions, to take upon themselves the entire fulfilment of a monthly steam communication from London to Bombay, Galle, Madras, and Calcutta. These conditions are, that Government give up their present line of packets in the Mediterranean, and contract for 40,000*l.* per annum, (the sum which it at present costs them), with the proposed company for the carriage of these mails, by their line of boats, from hence to Alexandria; and that the East India Company grant them 25,000*l.* per annum, in return for which they will carry their despatches monthly, under the charge of a messenger to boot, to and from the places above-named. The remaining expences of the concern they propose to defray from the receipts of postages on private letters to India and from passengers. Such offers as these placed the East India Company in a new and unlooked-for dilemma. Hitherto they had been magnifying the expense of the communication, and making the state of their finances—the injustice of saddling the poor natives of India with such a heavy annual charge as it would require—a principal ground for opposing the question. But this offer at once deprived them of that argument, for 25,000*l.* per annum, they could not deny, was but a small payment for the services tendered by the new Steam Association in return. In another point of view, also, this proposal of the Steam Association was unwelcome to the directors; it was a point *d'appéri*, round which all the honest and sincere advocates in favour of steam with India could rally and concentrate their strength to force the measure to completion in the way proposed, or some no less satisfactory substitute, and the plans which the Association promulgated, fortunately embraced many hitherto conflicting views and interests, by benefitting alike the residents on the east and west sides of the continent of Hindoostan. To meet this new and unlooked-for feature in the state of the question, the East India Company have had recourse to other means than those hitherto so successfully employed for postponing its adjustment. Formerly, their calculations went to prove the great expense which such a measure would cause them to incur. Now, their advocates have the unblushing hardihood



to state that their former data were all false, that it can be carried into effect on such a scale as will repay itself, and that the offer of the Steam Association should not be accepted, because it can be performed cheaper by the East India Company: and whence, let me ask, is this new light so suddenly derived? to what motive are we to attribute this sudden zeal, and increased knowledge on the part of the East India Company, to show how trifling is the pecuniary sacrifice required at their hands? can any one doubt for a moment the *animus* which prompts it? Is it not to furnish a reason for their declining the offer of the Steam Association, and for retaining to themselves the power of the management, or, rather mismanagement of the measure, since they find that it will be carried into effect by others, if not by them. Glad would I be could I think otherwise, for I freely admit that they were the parties to whose care such operations should have devolved. But when I know that from the first they have opposed the measure, and would only now step in and undertake it to prevent its being an instrument for good in the hands of others, and to retain to themselves the power of mismanaging and, when occasion offers, of abandoning it. I say that their agency and their motives are both alike to be distrusted. Let the public, therefore, watch the present measures and their tendency with unceasing jealousy. They have a right to demand from the East India Company, if they will now insist on carrying them into effect themselves, arrangements no less ample than those offered by the Steam Association, and guaranteed by the respectable names who form its committee, and let them apply this test to the East India Company, and thereby judge of the sincerity of their sudden conversion. It is proposed by the supporters of the East India Company, that the packets necessary for keeping up the communication between India and Suez will form part of the Bombay marine—a steam flotilla! If so, what dependence can be placed on the permanency of the communication? Will their vessels not be liable to be called away to any other service connected with the marine? and is it to be believed that with such unwilling agents as the East India Company propose themselves to be in the cause, that such occasions will not readily be found to crush the utility of the measure as a channel of correspondence, and render it an uncertain route? No such doubts could exist in the case of the Commercial Association proposed. They offer to provide a certain number of steam vessels best adapted for speed and for passengers for this service alone, and to extend the communication by branch steamers to all the three presidencies. Whether the East India Company, with their Bombay



flotilla, will do this, I leave the public to judge. You will now perceive the position which the East India Company have hitherto occupied in the question is materially changed. They are driven from their aspect of stolid opposition to one of three things:—They must either treat with the Steam Association, or undertake the plan themselves, or refuse to do one or the other. Not being prepared to incur the odium which this last would entail upon them, they will probably refuse the first, and adopt the middle course. The duty of the public, therefore, I conceive now to be, to unite in using every effort to compel the East India Company to close with the offer of the Association, or if they decline that, and retain to themselves the charge of accomplishing the measure, to insist on its being one as full and complete in all its details and ultimate prospects as that offered to us by the Steam Association. Now is not the time that we ought to accept less at their hands. Here have we been waiting for years for such a measure, humbly supplicating for its being conceded in any form, but in vain, whilst the East India Company has played the dog in the manger, neither doing it themselves nor suffering it to be adequately undertaken by others. And when a full and complete measure is offered to us by private enterprise, is it to be longer endured that we should be deprived, by the jealousy of the East India Company and their supporters, of such a consummation, and allow a half-and-half measure of their own to be substituted? The public may, without arguing the respective merits of the two competing bodies too nicely, fairly compare them on equal grounds. Let us call upon the East India Company, if they refuse to sanction the proposal of the Association, to produce a measure themselves in all respects no less complete, and it is to this end I would now wish earnestly to direct public attention.

“The proposal of the Association to His Majesty’s Government is not likely to meet with any opposition in that quarter, unless influenced by the East India Company, because the principle of contracting for the carriage of the mails is one already largely recognised by Government, and if acted upon in the instance of the General Steam Navigation Company for the carriage of the mails to Hamburg, Holland, &c., why not for those in the Mediterranean? Neither on the score of expense is His Majesty’s Government likely to object, because the offer of the Association, if accepted, places them at no more outlay than they incur at present. The only rock a-head, therefore, between the full attainment of all our desires is the consent of the East India Company to the proposed payment of 25,000*l.* in return for carrying their



despatches. Let them grant this, and we have steam to India established on a secure and ample scale and basis; or let them only refuse it on no less grounds than that they themselves will give us a full and satisfactory measure, and one exclusively adapted to this service."

### EXTRAORDINARY CURE OF HYDROPHOBIA.

The following extraordinary cure of *Hydrophobia* appears worthy of extensive circulation. "We observe," says the *Scots Times*, "that in this disease there is a constant thirst and great dryness of the skin; the pulse is quick and hard; the whole system appears to have undergone a violent change, and nothing distresses the patient so much as the pain and difficulty of deglutition. Under these circumstances, were the patient to be placed in a warm or vapour bath, and kept there till perspiration takes place, were the most suitable diaphoretics had recourse to, and the skin kept in a state of perspiration for some time, reasoning from analogy, we might be enabled to subdue the thirst and febrile actions, and perhaps by the exhalent arteries throw of the disease from the fluids." The *Dublin Morning Post* contains the following illustration of this idea:—"In my early days (says the narrator) there lived in the neighbourhood where I was brought up, a man who had the misfortune to be bitten by a rabid dog; some time afterwards the man grew unwell, and almost immediately manifested all the horrible symptoms of hydrophobia, which increased to such an alarming degree, that his friends had come to the resolution of adopting the dreadful alternative of putting an end to his existence by suffocation; and for this purpose four men spread a bed on the floor, and forced the unfortunate man down upon it, covering him with another bed, upon which they stretched themselves, to prevent him getting breath, while his wife and a few relations were in another apartment awaiting the awful event. The struggles and groans of the unfortunate victim were for some time adequate to make human nature shudder; during which time his wife's feelings may be imagined, but cannot be described. After a little time the noise in the fatal apartment ceased, when she rushed in with frantic despair, and with almost supernatural strength forced the men from off her husband's body, declaring, that 'let the consequence be what it would, she would let the Almighty take the manner of her husband's death into his own hand.' When she removed the bed that lay upon him, he lay almost lifeless; and so ardent had been his struggle, that the sweat had bozed from every pore in his skin, and in such a quantity, that it formed a small dam on the floor. After he was exposed to the air a short time, he revived and sat up, telling the bystanders that his madness had entirely left him; and it was so in reality, for he lived long and happy with his wife, who had been so instrumental in saving his life, and had by her a large family after his recovery. He died at last a natural death."



## MILITARY CORPORAL PUNISHMENT IN INDIA.

[Concluded from No. 74, page 32.]

### ESTABLISHMENT OF PENAL COMPANIES.

*Minute by the Governor-General.*—I have the honour to lay before the Council a Minute, in my capacity as head of the Army, proposing the abolition of corporal punishment in his Majesty's and the Company's European regiments in India; and the formation of a penal company in each of the presidencies, to which men of confirmed bad habits, repeatedly convicted of crimes, may be transferred by the sentence of a General Court-Martial.

The subject has for many years engaged the public attention, both in and out of Parliament, but as yet no substitute has been suggested, which has not been disapproved by the great majority of military officers, and which, as far as the experiment has been made, has not been attended with failure.

I do not profess to judge whether the plan now proposed may be applicable to other parts of the British empire; but, with respect to India, should the proposed penal companies, contrary to my sanguine expectation, not make it practicable entirely to dispense with the degrading punishment of the lash, still I can, at least, confidently assert that they would prove a most valuable adjunct to the penal enactments of our military code. The position, in this country, of the soldier, is surrounded with peculiar disadvantages—inaction, the depressing effects of the climate, the natural recourse to stimulants for relief, and the abundance and cheapness of spirituous liquors. To these must be added another cause of demoralization and corruption peculiar to the Army of India, whose strength is annually recruited not by young men not yet hardened in vice, but by the reception of the most profligate and worthless characters from the regiments proceeding to Europe in the order of relief. For this latter evil, and a very great one it is, the plan which I have already submitted of sending the relieved regiments by New South Wales, will be a remedy. But the penal companies will remove from the corps, during their stay in India, the bad men which they bring out with them, who are a constant source of disorder and crime. But I beg leave to refer to the Minute itself, which records more at length my sentiments upon this subject.

I have only now earnestly to request the particular attention of Council to the improvement and correction of a plan, which, if



successful, would supply a great desideratum hitherto in military jurisprudence.

W. C. BENTINCK.

*Calcutta, Jan. 1st, 1835.*

*Minute by the Commander-in-chief.*—In no part of the world in which the British soldier is called upon to serve is the strictest and most minute attention to discipline more indispensably necessary than in the East Indies. The relaxing and enervating effects of a climate hostile to the health and opposed to the habits of the European, the facility of obtaining intoxicating liquors at the smallest possible cost, the impossibility of enjoying, at certain seasons of the year, that portion of bodily exercise to which in Europe the soldier has been accustomed, all combine to render it peculiarly necessary to enforce the strictest discipline, and, at the same time, to provide every possible mental resource that may tend to diminish the pressure of confinement, and to fill up the vacuum of idleness.

The laudable efforts of the General, commanding-in-chief his Majesty's Army, to ameliorate the moral conduct of the British soldier by the diminution of corporal punishment, have evidently failed in India at least, for the number of Courts-martial has rather increased in the last four years.

I am disposed to attribute this failure to the want of an adequate substitute to supply the place of one of the severest modes of coercion hitherto resorted to for the maintenance of discipline; for the substitution of transportation to New South Wales has been found totally inadequate, inasmuch as too many of our soldiers consider their removal to that land of promise as a boon rather than as a punishment.

ABSTRACT of a Return of the Number of Courts-Martial held on Non-commissioned Officers and Privates in His Majesty's Regiments in the Bengal Establishment, for the Years 1831, 1832, 1833, and 1834.

	General.	District or Garrison.	Regimental.	Total.
1831 . . . . .	11	129	273	412
1832 . . . . .	19	172	338	523
1833 . . . . .	14	127	275	446
1834 . . . . .	60	124	317	501

Under the fall conviction of the expediency of doing away with corporal punishment in his Majesty's regiments, and of

• For this year the month of December is not included.



the necessity of finding some efficient substitute, I have been led to consider this important subject under two points of view; and to endeavour, in the first place, to show that the cultivation of the mind of the British soldier calls for an ameliorated and mitigated code of military law; and, secondly, to propose such a substitute for corporal punishment as shall limit its infliction to condemned or penal companies, to which no man can be sent but by the sentence of a General Court-Martial, in consequence of his repeated evil deeds.

To form a just idea of the moral advantages enjoyed by British soldiers in India in the present day, as compared with their former position, we must examine what has been done for them and their families in regard to education.

Until his late Royal Highness the Duke of York introduced the system of regimental schools the family of the British soldier grew up in ignorance and vice, and were considered, and with reason, as outcasts of society. The parents themselves had no possible means of improvement, and no hope of ever being able, by any efforts of their own, to remedy the defects of early neglect.

The present state of the British regiments, thanks to the paternal care and foresight of a Prince whose whole life was dedicated to the well-being of the Army, exhibits a very different picture.

All the children of soldiers are now educated in the regimental schools, where they make great proficiency in reading, writing, and arithmetic; the girls are also taught to knit and to sew, and the moral feelings of the children are carefully cultivated.

The soldiers, in considerable numbers, attend the schools, and make a rapid progress in reading and writing. In India the regimental libraries of the soldiers generally contain from 500 to 600 volumes of well-chosen books; they receive the leading newspapers, and their reading-rooms possess comforts and convenience.

To maintain generally the degrading punishment of the lash, in co-operation with such an improved state of mental cultivation, would be as absurd as cruel. It is, however, absolutely necessary to supply its place by the adoption of a substitute equal to maintain and to improve the discipline of the Army; and under this impression I submit the expediency of establishing in India a certain number of penal companies, to whose ranks corporal punishments shall be limited; and all hardened



offenders, for whose correction all other punishments have proved insufficient, be sent by sentence of a General Court Martial.

For India I should propose one penal company in each of the Presidencies, whose strength should be in proportion to the number of European corps; and I should anticipate from their establishment the most salutary effect on the conduct of the European troops in India.

The plan of penal companies has been already tried at Sierra Leone with good effect, and there is every reason to believe that its adoption generally would, by relieving the regiments of some of their worst characters, tend much to the improvement of their discipline and their respectability.

In the Appendix to this Minute I have submitted a plan of organization of the proposed penal companies in India, taken in some measure from that adopted in Sierra Leone, but varying in many essential particulars, and carefully guarding the British soldier from any degradation, but that which shall proceed from the sentence of a Court-Martial.

Too much attention can never be paid to the moral qualities of the officers and non-commissioned officers selected for the charge of the penal companies.

They should unite mildness of temper and great forbearance with infinite firmness and decision, and they should receive, as a recompense for the anxiety, trouble, and fatigue they must undergo, additional compensation, equal to one-half of the pay and allowances of their actual rank.—N. B. It has been generally observed that a few bad characters, permitted to volunteer into the regiments on their first arrival in India, have had a most pernicious effect upon the conduct of the whole corps.

W. C. BENTINCK, Commander-in-chief.

*Calcutta, January 1st, 1835.*

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#### APPENDIX.

*On the Organization of Penal Companies in India, as a Substitute for the Abolition of Corporal Punishment in his Majesty's Regiments.*

It is proposed—

1. That one penal company shall be established in each of the Presidencies, varying in strength according to the number of European corps.



2. That corporal punishment be abolished in his Majesty's regiments, and confined to the penal companies.

3. That no man be sent to the penal companies but by the sentence of a General Court-Martial, for crimes which would otherwise have been punished by corporal punishment or transportation.

4. Men sent to a penal company by the sentence of a General Court-Martial to forfeit all claim to pension, or to additional pay for length of service,

5. A full report to accompany each man on being sent to a penal company as to his former character and conduct, and the number of times he has been tried and punished, and the crimes for which he may have been brought to a Court-Martial. This report to be sent to the Commanding Officer of the penal company, sealed and marked "Confidential." The crimes the men may have committed to be kept strictly secret, even from the other officers of the company.

6. Every man on joining a penal company, to be informed by the officer commanding that his former faults are forgiven and forgotten, and that his future fate will depend entirely on his future conduct. The only exception to this rule to be where the crime has been of so aggravated a nature as shall induce the Court to sentence a man at once to the second division of the penal company.

7. The commissioned and non-commissioned officers of the penal companies to be selected with the greatest care and attention, and exclusively on account of their aptitude for so very important a charge.

8. The Head Quarters of each penal company in India to be selected by the Governor General of India in Council.

9. Each company to be formed into two divisions; all men on first joining, with the exception before-mentioned, to be placed in the first division, and only to be removed to the second by the sentence of a Court-Martial.

After two years of good conduct the men of the first division to be allowed to volunteer into their own regiment, or any other; but men once condemned to the second division never to be allowed to volunteer into any regiment, or to have again the honour of joining any corps. Should their conduct, however, appear to have greatly amended, the Commandant of the company, after a lapse of seven years, may be permitted to apply for their discharge.

10. The wives and children of men condemned to the penal



companies, to remain with the regiment, and the children to be educated in the regimental school, and placed, in the absence of the mother, under the care and superintendence of some well-conducted woman of the regiment.

The wives of the men of the first division to be allowed to join their husbands at the expiration of a year, provided the conduct of the men has been good.

The men of the second division not to be allowed this indulgence under two years, and then only as a reward for ameliorated conduct.

The women and children remaining with the regiment to receive an allowance from Government sufficient to maintain them from want.

11. In the penal companies corporal punishment to be limited to the crimes of theft, mutiny, and exciting to mutiny, striking non-commissioned officers, stabbing or drawing the bayonet, loading muskets with intent to destroy life, or maim a comrade, or inflict self-mutilation.

12. Capital punishments, either in the regiments or in these companies, are provided for in the Mutiny Act.

13. The Commanding Officer of a penal company to have the power of confining a man in the Congee house, or solitary cells, on bread and water, for a period not exceeding eight days.

#### PROPOSED COMPOSITION, SUBDIVISION, AND EMPLOYMENT OF A PENAL COMPANY.

*Officers, Non-commissioned Officers and Privates of each Company.*

**Commissioned Officers.**—One Captain Commandant, two Lieutenants, two Ensigns, one Assistant-Surgeon. One of the Lieutenants to act as Paymaster; one of the Ensigns as Adjutant and Quartermaster.

All these officers doing their company duty at the same time, and when upon leave of absence, from whatever cause, to be relieved by another officer, who shall be entitled to all extra allowances.

**Non-commissioned Officers.**—One Serjeant-Major, one Quartermaster-Serjeant, one Serjeant in the orderly room, one Corporal as Drum-Major, one Corporal as Bugle-Major, 10 Duty Serjeants, 10 Duty Corporals.

**Privates.**—200 Privates.

**N. B.**—This is the proposed strength of a penal company in Bengal and Madras; one half of this establishment for Bombay.



**Subdivision.**—1. Each company to be divided into two divisions, and all men on first joining to be entered in the first division (with the exception already mentioned.)

2. Each company to be divided into ten messes, one Serjeant and one corporal to each mess.

3. The men of the second division to be formed into a labouring and a chain gang.

**Employment.**—1. The men of the first division to work as artificers or labourers, and to receive an extra pay to be applied to the increase of the comforts of their messes, and to extra clothing.

2. All the men, on first joining, to be attached to the working parties, and none to receive extra pay for the first six months.

3. The extra pay to the artificers of the first division to be from two to four annas per diem, that of the labourers never to exceed two annas.

4. The artificers of the first division to be permitted to work at their trades in the barracks, and the labourers of that division to take their turn of work like any other duty, to dig foundations, cut stone, burn and prepare lime and mortar, make roads, construct bridges, build houses, &c. The men of the first division to be under no further restraints than those imposed on all soldiers.

5. The men of the first division of the best character and conduct are not to be forced to work, unless the exigencies of the service require it, but to be employed in the ordinary duties of soldiers. From these men the main guard, consisting of a serjeant and twelve men, must be selected, and from the first division the ~~paid~~ artificers and labourers to be invariably taken.

6. Overseers to be appointed from this division from among the best of the men, with a considerable extra pay.

7. The second division of each company to be composed of men removed from the first by the sentence of Court-Martial, and to be divided into a labouring and a chain gang. The men of this division to be always under restraint whilst at work, to have no liquor or extra pay, to be locked up at meal hours and at night. The chain-gang are not to work in chains for a period exceeding eight days.

\* When the men of the second division are employed as labourers, they are to do the work of coolies, that is, to attend upon and carry for the labourers of the first division.



**Minor Punishments.**—The minor punishments of the penal companies to be strict confinement to barracks, drill, temporary stoppage of liquor, prohibition from working as paid labourers, solitary confinement on bread and water, exclusion from messes where extras are allowed; and to sellers of kit, hard labour on the roads, and stoppage of pay till the necessaries made away with are again complete.

**Hours of Work.**—In the hottest season in India a man may work five hours per diem, viz., two and a half hours in the morning, and the same in the afternoon:—in the cold weather, four hours in the morning, and four in the afternoon.

**Buildings.**—The hospital, solitary cells, men's barracks, commissariat and medical stores, officers' quarters, guard-room, orderly-room, quarters for the Serjeant-Major and Quarter-master-Serjeant, carpenter's shop, smith's forge, and bakehouse, to be built by the men of the company.

In consideration of the composition of a penal company, it would be desirable to build for the men small separate houses, each to contain a Serjeant, Corporal, and twenty privates, and also separate houses, each to contain a certain number of families.

Many desperate characters cannot be thrown together without danger, and nothing would more facilitate the preservation of discipline than this subdivision.

Fifteen solitary cells should be constructed for each company in such form as to preclude all communication between the prisoners.

In order to facilitate the instruction of the men on first joining the company as to building, constructing bridges, making roads, &c., it would be advisable to attach, for a time, to each company, a certain number of sappers.

The necessary quantity of tools, of every description, to be furnished by Government.

**Stoppages.**—All the money arising from stoppages of pay, to be employed in providing mess furniture, table cloths, plates and dishes, knives and forks, drinking cups, gardening tools, pay of a gardener, and balls and bats for the amusement of the men, &c.

**Canteen.**—A canteen to be established on the most approved system of regimental canteens, and every possible means employed to procure good and cheap beer, and to induce the men to drink it in preference to spirits.

The canteen fund to be under the control of the Commandant, and the profits to be employed for the benefit of the men. The



accounts of the canteen fund to be kept with the strictest regularity, and to be submitted to the inspecting officer at each half-yearly inspection.

*Clothing.*—The men to be clothed in a red shell jacket and grey pantaloons, or white jacket and white pantaloons, as the season may require.

The red shell jacket and grey pantaloons to be furnished by Government once in two years, and a forage cap and a pair of shoes once a-year. All other articles of dress to be paid for by the men.

The appointments and arms to be supplied by Government.

*Books and Accounts.*—These must be kept with the most accurate attention to his Majesty's orders, and submitted half-yearly to the inspecting officer.

*Divine Service.*—To be performed every Sunday by one of the officers.

The penal Companies equally to comprehend King's and Company's European troops.

## THE MEDICAL SERVICE OF THE EAST INDIA COMPANY.

*To the Editor of Alexander's East India Magazine.*—SIR, —My letter, I hope, will be thought useful to the cause I write upon—the sick of the service of the East India Company. —I shall be able to introduce all the miseries of the sick, I have witnessed in India, and my own treatment for trying to have punished, the debased beings who have behaved ill to them—the friends and relations of East India Directors, Governor Elphinstone, Sir T. Hislop, Adjutant-General Conway, Secretary Newnham, &c. I shall begin with the Madras European regiment, but my letters relating to the 25th regt., the 19th regt. Madras N. L., and the Bussorah Factory, and the Wynaad District will be more likely to be disbelieved by those that do not know me.

On the bloody 1st of May, 1809, as it was called by the officers of the regiment and others, I went to join on that day; I sailed in the *Asia*, Captain Tremenhere, from Madras to Masulipatam, and joined the Madras European regiment on the 3d of the same month, at 5 P. M.; the new Colonel joined at the same time, but he came in another ship. I was called a Gwillimite, having lived with Sir H. G——'s friends at Madras, Messrs. Oliver, Keene, and Gwatkin, gentlemen highly distinguished as public servants, and, in private character, surpassed



by none. At dinner, on the day I joined my regiment, I, of course, had to drink wine with every body at table, about forty officers, and got, for the first and last time, half tipsy; in that state, I joined with all the rest in driving, hooting, and hissing my commanding officer out of the mess-room, for refusing to drink a toast which I had drunk, "The Friends of the Madras Army." When the hubbub ceased, I was elected a member of the Mess, without a dissenting voice. I had made a speech, but I forget what it was, though, I think, it related to two friends of mine, that I thought Governor Barlow had behaved ill to; this won the hearts of all my brother-officers, and a Mr. Roebuck, an old civilian, who had come up in the ship with me, sad and sorrowful, and who, soon after, according to the pamphlet of his widow, died of a broken heart from his treatment by Sir G. Barlow, told an officer of my regiment who had gone on board, that I was a fine young Englishman. The next morning I went with the Surgeon of my regiment, to be introduced to my commanding officer, that I had been hissing at, like a gosling, the night before; he received me very kindly, and I felt sorry for him, for he seemed a good old man; but as silly as I must have looked, when hissing at him at the top of the stairs, for I, goose-like, run after my supposed enemy when he run from me. He was, soon after, put in close arrest, and, while, in that state, wrote to Governor Barlow that I was a well-conducted young man; but I did not know this until 4 years after, when I accidentally, at Cheltenham, took up a pamphlet treating on the mutinous bustle of 1809. I have always called it so, since 1810, when my godfather wrote to me, saying,—“I am glad to find you have had prudence to keep out of the ‘mutinous bustle.’” I was only twelve hours a member of the mess,—the Surgeon invited me to live with him, and I retired, but with a good grace; but I was much among the officers, for proceedings and events were to me, as a young man just entering into life, amusing, but, to some, they would have been terrific. The Surgeon was not liked, and the officers wondered I liked to live with him. Among the ridiculous stories they told me of him, one was, that when he came to India, he taught himself to dance with a row of chairs, and a bunch of keys tied to his button for music, and went hopping in and out and round the chairs, singing diddle-dee-dee, but every body called him the dancing Doctor. He used to make me dance through the sun, at noon, to ask questions of the sick in hospital and then report to him,—I several



times put my arm round the trunk of a tree, to prevent falling; the sun made me giddy; birds at this period, would, from excessive heat, fall dead, and man also. He gave me the charge of a ward when I first joined, but afterwards would not let me have any charge, saying I should produce inflammation: I gave wine and full diet instead of congee water and low diet. So, when he only sent me to look and report to him, I used to order wine and water for some others, that I chose to speak to,—he never sent me after doing these things. Early one morning, he told me to go and see the hospital was swept clean; I said, you can see that yourself when you go to see your patients,—He called me an anatomical parrot and a monkey; said I knew nothing of Indian medical practice, and that I had better confine myself to conversation about the origin and insertion of muscles: I asked who I was to converse with, for he knew nothing about muscles. I suggested to him that he should make one of the wards into an eating-room, and have chairs and tables for those sick that liked to go and sit at them and take their meals, and not let them sit squatting like monkeys.—He said, I was a monkey-headed young man, full of foolish ideas, and I was not fit for the Company's Service, and, with all my ingenuity, "Tick-a-tee" would turn me round his little finger. I told him my fore-finger will make you turn round.—Tick-a-tee was his assistant before me, that was his nick-name,—he was a little body, and brought a little wife, seven years old, and who died from the effects of early prostitution, before she was twelve; Tick-a-tee told me. Diddle-de-dee, instead of curing me of my monkey-tricks, also had a Mrs. Diddle-de-dee in the house, but she did not come to table. I left Diddle-de-dee and lived at the mess, and remained as ignorant as I came. I had no duties to do. Once, after this, he sent me to attend a punishment in a detachment of H. M.'s 59th regiment, for the Garrison Surgeon,—the lad, while he was being flogged, looked piteously round, and said, Doctor, remember my mother's pretty face. My regiment did not allow me to associate with this Surgeon, he was sent to Coventry the day I arrived,—and the other two Surgeons were sottish,—one I never saw, the other soon died, he burst an abscess in the liver or his lungs. He afterwards sent me to parade, he was afraid to go, I believe: this was when General Barlow offered pardon to the troops, if they would return to obedience, but European and Native soldiers booed and hissed the pardon and the General that offered it; I was beside him, but his Staff had



deserted him—the Surgeon was disliked by the men, and generally by the officers—but it is not my intention to go into these circumstances. The next bit of duty I was called to perform, was to suppress the mutiny in the hospital of my regt., and the Garrison hospital,—the Garrison Surgeon lived two miles from the hospital, and his Assistant was a great sot, but he was not a gentleman, and educated in India: I ran with my sword drawn, after first learning where I was, for I was suddenly awoke by an hospital dresser—I had overslept myself that afternoon and had slept till 8 o'clock p. m., and was without a light; the word, mutiny, did not alarm me, as I had known nothing else from the hour of my arrival, I had now been here three months—it was now July—but when I told him to call the Surgeon he said he was gone to the village to quell the mutiny in the Artillery, and all the regiment was gone, and nobody in the Garrison but “master,” and master fast asleep on duty. I gave a few fellows that were striding across the wall, but afraid to come over, a prick with the end of my sword, but they were the sick of the Garrison Surgeon, who wanted to get out and join their brother Artillery-men—the sick of my regiment wanted to seize the treasury, I understood. I was saluted with the epithet of “the bloody young Doctor,” and some bricks, pots, and pans were thrown over the wall at me, and seeing a group of Native soldiers, invalids, drawn up before the Fort Adjutant’s, who had but one arm, I ran over there, the Fort Adjutant was very tipsy—there was also a sick officer from Ellore, I think, (Gill) sitting at the verandah. I wanted the Fort Adjutant to come down with his invalids, but he would not, so I got a chair and sat down on the parade, and soon after I heard the band of my regiment returning,—where the Colonel was I do not recollect, but I think he had left by this, but that is not my business.—This was the last medical duty I discharged in the Garrison. Although my regiment was in a most dreadful state of insubordination they set the Artillery to rights very soon, and then began again themselves, and refused to remain in Masulipatam, and insisted on marching to Madras, where their officers had intended to march them, to force Governor Barlow out of the Government House,—but the officers had now given in, the men would not, and they had lost all command over them; they and all other officers, about fifty, had signed the test of obedience to Sir G. Barlow’s Government,—they were either to do this or quit for Madras; two officers were not allowed, my commanding officer after the Colonel



was put in arrest, and the commanding officer of the Native troops—I was the third that did not sign, I refused,—the late Colonel Hastings<sup>Kelly</sup> advised me; I said I would if Sir G. Barlow would prove to me that I had forfeited my oath of fidelity to the East India Company, which I took at the India House last year,—that I had nothing to be afraid of. As to the toast, it was with me a thing of a private nature—I was insulted by the Colonel having drunk the toast when he found fault with it.—“What am I to say?”—Say that so long as I consider obedience to Sir G. Barlow’s Government will not be a violation of my oath of fidelity to the E. I. C., that I shall obey it, but no longer, and I will not sign any paper that will be an acknowledgment of my having been a traitor. Some weeks after this, I saw an order at Madras, that medical officers were not expected to sign; they were not supposed to have anything to do with the disputes between the Governor and the Army; however, some other Surgeons in the division refused to sign, and were marched away prisoners. I was left, but some said I wanted to be marched away, and that was the reason I refused to sign. I soon marched away, and a pretty march it was,—it was my first. The regiment insisted upon marching. Two-thirds of them were encamped outside the Fort to proceed to Madras, some changed their mind, and little more than 200 went down, and I with them in medical charge; bad as they were, more care was taken of them, Mr. Editor, than the valuable lives named in my last letter—a few of the 200 started by themselves without doctor or any other officer, and robbed for a subsistence, and, I believe, in two instances killed where resistance was offered; but I heard of no coroner’s inquest. So I went away in medical charge as wise as I came. I had no medical duties, nothing but mutiny to amuse myself during my four months stay in Masulipatam,—The hell of India. One of Diddle-de-dee’s Assistants, the officer told me, shook a stick over his head; but he came out an elderly man. Mr. D. said I had better go back to England, I was not fit, as he said “for our service;” but I got to Madras with my brother rebels, and much sickness, but no deaths, and joined the camp at Marlong Bridge—a force that had been assembled to march to Masulipatam to put us to rights, but we blockheads marched down to our enemies to save them the trouble of coming to us, and surrounded by King’s troops, we began to flog our men. I was made a prisoner for my bad behaviour late one evening,



and went to bed, slept well, got up and quite forgot I was one until I had been up one hour. The day before I was made a prisoner, the Medical Board wrote to the Superintending Surgeon of the Force to name an efficient medical officer to go over to St. Thomas's Mount to relieve Surgeon Ainslie in the medical charge of the artillery and cantonment: he was promoted to a Superintending Surgeoncy—the S. S. wrote that I was his youngest medical officer, but he had none better (perhaps had was the best.) My Commanding Officer was afraid of me, I was so good-for-nothing; but that was no disgrace to him, for Sir John Malcolm, General Adwell Taylor, General Conran, General Hare, Colonel McDonell and numerous others, were afraid of me, and all while I was only a very young Asst. Surgeon; this is a fact, for the Adjut. General of the Army told me so, and that he did not know what to do with me, or where to send me, for every body, under whose command I had been, were afraid of me, and whenever he was applied to, by a Commandant for a medical officer, they said, do not send me, Charles Jones. It is very true that I gave this commanding officer of the detachment a good beating with a dooley-bearer's stick with a bit of iron at the end of it. The dooley maistry came to me one morning when the detachment had marched, and said there was a drunken soldier in a dooley and he would not get out, and the sick man could not get in. I gave him a few kicks where I could do no great injury, but he only grunted, and I took the maistry's stick and rapped his shins and knees; at last he paid my eyes and limbs a compliment. I knew the voice, and that it was a drunken soldier, but also my drunken Commandant, so, out of respect, I did not beat him any more, and I was not on very good terms with him. I had left the mess of the detachment because the officers were always worrying me about the doolies, and said I allowed these men to impose on me; the fact was, they wanted the doolies for various purposes, that is, the Commandant, and Rey, and Cursham; but all these officers are dead but one now, Colonel Kidd, whom I thought as did others, amiable and gentleman-like—but this affair was never named by me, nor do I believe King David himself remembered it. The Surgeon that was sent to Coventry by the officers of my corps, asked me if I did not think them a fine body of officers, I said rather so. The dooley-bearers knew who was in the dooley, but as he was such an immense man they wanted the little sick fellow to get in for a lighter load.



Diddle-de-dee did not send proper supplies with me; at Nellore one of the men fell out of a tamarind-tree and broke his arm, when I (which was not much to my credit) discovered I had got no splints, but I got some of Dr. W. Scot. I left a cooley under Mr. S.'s care, and a sum of money to take care of him in his hospital, he had got lame in my service. I say this merely to prove I was no brute when I entered the service of the E. I. Co., although I have the credit of those to whom I would give no credit, of treating my superiors very ill, particularly my Commanding Officer; it was the dooley-bearer's fault that I beat my Commanding Officer. However, notwithstanding the beating, I made him make me an apology before my Superintending Surgeon, when he put me in arrest. On his putting me in arrest, I wrote the following letter to Lord Minto the Governor General, who had come round from Bengal to put us all to rights. Sir George Barlow among the rest of us. I had been strongly recommended to his Lordship by Lady Minto's brother. Colonel Kidd, lately arrived in England, I think brought me the charges my Commanding Officer preferred against me, and he also I think brought back my sword. The charges were, "for writing disrespectful letters to him on the march,"—"for refusing to withdraw them when ordered by him to do so,"—"for neglect of duty in not taking two flogged men into hospital,"—"for refusing to attend upon him when sent for." I must observe the men of the detachment behaved well towards me, except one man, who was guilty of irregularity at the hospital, and I complained of him to the Commandant, he and others laughed at my complaint, the language he used was very offensive; but they were afraid to punish the men; the men hearing of it, punished him among themselves, and then sent him to my tent to beg my pardon, which he did in a soldier-like manner.

The following is the substance of my letter to Lord Minto.

That my Commanding Officer when not sober and sleepy, and I think I said half-drunk, would, in the morning, pull the sick out of their doolies and get in himself; that a man of the name of Humphreys was twice brought to my tent, brought miles and hours after the detachment had got to the halting ground, by his comrades, and they complained to me, and the man's wife was crying at her husband's treatment in being pulled out and left on the road; that I quieted them by saying it will not happen again now the Commandant sees you at my



tent; but it did and to the same man; and I then wrote a very strong letter threatening him with charges if he did so again: After this he sent food into my hospital, and I forbade his doing so, and that I had ordered the hospital corporal to return all food he sent, and to confine the man who brought it, and that there was no want of food in my hospital, and that I was not on good terms with the Surgeon of the regiment, who deemed me an extravagant person, and said I gave full diet and wine when I ought to give low diet; that I was in no way benefitted by the savings, and the Surgeon would give me nothing. That what was proper for the sick to have I ordered, and the Steward was obliged to give at the Surgeon's expense; that I of course refused to withdraw letters, that it became my public duty to write, and that yesterday afternoon, while the men were being flogged, I told the Commandant that I could not take them into the hospital, and they must remain in their own tents, that my tents were crowded with sick and could not move, and I had repeatedly asked him to give me an additional tent from the lines of the detachment, and that my hospital tents were also worn out and let in the rain; and that when I told him I could not take the punished men into hospital, he made no reply—that I was aware that they ought to have been in hospital, and they did go in; but they and others, as soon as I got to the tents, complained, and my sick were wedged together; and that in passing his tent at dusk, going to dine at the mess of H. M.'s 56th regiment, he called out to me, desiring to know why I did not come to him when sent for: I replied, he had not sent for me; he repeatedly said he had, and I, at last, said, I have not received your message; he said I had, and desired me to go to my tent a prisoner, and that I was in hourly expectation of being ordered to St. Thomas's Mount, to discharge the important duties of that place. The day after my Commandant wished an interview in the tent of my Superintending Surgeon, and he there said he was sorry for what had happened. He asked to take a glass of wine with me, I did so, bowing, he saying, your good health. He wanted to shake hands, I said good morning, and got out. I thought I was doing wrong, but I did not wish to ruin the bad man, who would have ruined me if he could.—From what I have stated you may form some idea of the carelessness and indifference manifested towards the sick in India.— I will give you more hereafter, and remain your obedient Servant,

C. JONES.



## MEMOIR OF THE REV. WILLIAM CAREY, D. D.

## LATE MISSIONARY AT BENGAL.

*(Continued from No. 74, page 25.)*

We have followed the Memoir up to the time when Mr. Carey became installed in a mercantile situation at Malda. He seems to have shewn considerable mercantile knowledge in his superintendence of the extensive indigo establishment placed under his care. Although inspired to devote himself singly and wholly to an existence which should be fully acceptable to his Maker, the world's conventionalities had still so powerful a hold upon him that he found it impossible to altogether throw them off. This circumstance was the cause of much poignant regret to Carey, for we find his diurnal journal (which forms a carefully minute index of the temperament of his mind from this period onward) pervaded by somewhat pining confessions of his unworthiness and of his unsuitness for the duties he had undertaken. This journal, by the way, occupies a major portion of the volume we are examining; and we are bound to observe, that it will offer little or no incentive to perusal with other than that reader who is imbued with sentiments similar to those with which this Memoir is redolent.

In reference to Carey's wavering disposition from his tenets, adverted to above, we have one remark to make, which may not be considered premature. His mind, always of a weak calibre, as evidenced in worldly matters, was certainly not much strengthened in the cause he had espoused, at this juncture. Upon most points, save some appertaining to religion, he evinced a simplicity that was remarkable. It needed little argument or little persuasion to lead him *temporarily* from any predisposed course. We have his own acknowledgment that, even in the chosen path of his desires, he often would ovince that vacillation of mind productive of such anguish to a heart withal truly penitent and humble. Hence it is that Carey's Journal is so elaborated in its detail of the continual combating between his spiritual and ~~secular~~ longings. Speaking of his weaknesses, Carey very beautifully says, in an early part of his religious memoranda,—“I hope my soul, like a pendulum, though it sways to and fro about the necessary things of this world, yet can rest no where but in its centre—God.”

The Society at home, seriously demurred when they learnt that Mr. Carey and his colleague had accepted secular employment



(in the factory already alluded to.) They feared lest the time and care such engagements might require, and the worldly associations they might necessitate, should divert them from their appropriate pursuits. But too little attention was shown, in this case, to the actual circumstances of the Missionaries; their pecuniary supplies from England had hitherto been so very meagre, that the Missionaries, without having recourse to some such means, or a miracle, must have perished for want of subsistence. Their employment offered itself providentially, coming without solicitation on their parts, and at the time of the greatest extremity. It was also as favorable to their grand object as any thing worldly could be. Mr. Carey was more simple and more exalted in his devotion to the Mission than even his most attached friends conceived. If he was occupied in that very questionable pursuit in the eyes of the Society, that of amassing a little wealth, the Society should not have allowed the purity of their views to induce them to look with contempt or chagrin upon the circumstance which, however equivocal it might seem, offered the only means of facilitating the objects they had in view; and, that those objects were facilitated by such means, abundant proof was eventually given them. Carey sought gold only for the advancement of the Mission, not for its opposition.

Alluding to the progress of his Mission, whilst conducting the Indigo Factory, he says:--

“When I first left England, my hope of the conversion of the heathen was very strong; but, among so many obstacles, I wonder it has not died away. Nothing to exercise it, but plenty to obstruct it; for it is now a year and more since I left Leicester. Since that, I have been hurrying up and down; a five months’ imprisonment with carnal men on board the ship; five more learning the language,—my colleague separated from me,—long delays, and few opportunities for social worship—no woods to retire to, like Brainerd, for fear of tigers (of which there are many, and dangerous),—no earthly thing to depend upon, or earthly comfort, except food and raiment,—yet, if I were deserted by all, and persecuted by all, my hope, fixed on that sure word, will rise superior to all obstructions, and triumph over all trials.”

Carey ever forcibly opposed the various systems of idol worship common to different Indian tribes. His arguments were well suited to the capacities of those to whom they were ad-



dressed. In conversing with a Native, he would clothe the most startling Christian arguments in the simplest of language, and thus he was often gladdened at observing that some poor heathen before him seemed to comprehend and desired to profit by his teaching. "Besides," says his Biographer, "the labour requisite for discharging the duties of his situation, (sufficient in itself, for the time and strength of any common man) besides fulfilling these with a diligence and a fidelity reaching to the minutest circumstances, he attempted Native education, acquired the dialect of the Province in which he lived, daily addressed the idolatrous Natives, often travelled considerable distances to preach in English, maintained an extensive correspondence, and, withal, laid a broad foundation of Oriental grammatical science, by mastering the elements of one of the most difficult and classic languages in the world."

"One of the greatest difficulties," (says Mr. Eustace Carey) a Missionary has to encounter, arises from the poverty and perversion of the language. In communicating ideas upon spiritual subjects, it is hard to find a corresponding word with the one with which he is familiar. This is felt severely in a district where the population is degraded, such as that was amongst which Mr. Carey was now settled. Neither God, nor holiness, nor heaven, nor hell, nor sin, nor any other word within the compass of religious phraseology, can convey any just impression to the mind of a Hindu, without explanation; his idolatry having invested every possible term with something fabulous and alien from truth." But Carey overcame these difficulties; he could now converse with the Natives with facility, and often preached to them. A mutual understanding frequently brought them in numbers to him, desirous to hear the scripture propounded.

Beyond the little we have instanced, no incident now occurs in Carey's life for some time. His labour was mainly devoted to the translation of the Bible. He says—"The translation of the Bible is going on, and is to me a very pleasant work. Genesis and Exodus, and Matthew, Mark, part of John and James, may be reckoned ready for the press. I am surprised to find (he continues) that one-third of the words in the Hebrew Bible are known to Moonshi,\* and great numbers are in constant use in this country, as Kophar, a sin-offering. Kophar means here, the vilest character and actions imaginable, and, if

\* An educated Native servant, who was a sort of amanuensis to Carey.



you mean to insult a Mussulman, no word will do it so effectually. It appears to have been given by the Arabs to all Negroes; hence Caffraria, the country of the Caffres. So Hosannah is much used in Persian, and is an exclamation of the multitude to a great man or King, on his entering into any city or place: the populace then cry Asanta, that is, the bringer of happiness. Printing, here, is uncommonly dear; but if types could be got from England, there are Natives who could do the business of compositors and pressmen. Mr Thomas has a set of letters fit for types to be founded by, written for that purpose, by a Native, but we can do nothing with them individually without the Society assist us. I am preparing a grammar and dictionary of the Bengal language, but if I had Halhed's Bengal grammar and Gilchrist's dictionary and grammar of Hindosthani, they would materially assist my study." He informs the Society, in a letter which we meet with shortly after the above extract, that a Baptist Church had been formed at Malda,—that its members were four in number. "I am just returned from a tour through about half the district in which my duties lay, and the whole of which consists of about 200 villages, to whose inhabitants I preached and conversed. I performed the journey on foot, walking from twelve to twenty miles a day. This plan I intend to pursue steadily. I regret I have not yet seen much fruit of my labours. But, upon the whole, I trust the prospect of the conversion of the heathen is not so gloomy as to give room for despondency. I have received letters from some people at Dinagepore, the capital of the district, whom we had never seen, and who had heard of the Gospel. They wrote requesting part of the translation to be sent to them."

"Notwithstanding what the Society may be pleased to think," hints Mr. Carey, at this stage of his Journal, "I only say that after my family's obtaining a bare allowance, my whole income, and some months much more, goes for the purposes of the gospel in supporting persons to assist in the translation of the Bible, write copies, teach school, &c. This is ~~cost~~ me a certain expense of thirty-three rupées per month. But this I rejoice in, and would not lose the pleasure of it for 300 per month. I only mention it to show that the love of money has not prompted me to pursue the plan that I have engaged in. I am indeed poor, and shall be always so till the Bible is published in Bengali and Hindosthani, and the people want no further instruction."



Mr. Carey, when informed of the Society's intention to send out a body of Missionaries to Africa, observes, "God make it prosperous! Think of Thibet, Pegu, and the astonishingly large part of Hindusthan to the west and north. Thibet is near us; we could correspond with a mission at Pegu, Oude, Kashmeer, Khabool, &c."

About this time the Baptist Missionary Society sent two Missionaries to Sierra Leone, but one of them falling ill, and being compelled to return home, and the other, through some interference in local disputes, being advised to leave the settlement, the Society thenceforward concentrated their strength on the continent of India.

The subjoined extract, from a letter by Mr. Thomas, is both curious and interesting as throwing some light upon the reception, condition, and feelings of the Missionaries in India.

"You see in Mr. Carey and myself some differences in taste, manners, &c., and there are many differences between us which you do not see. Do not be alarmed, for our very noses are not alike, but our hearts are one, we may differ in faces, but not in hearts; one heart, one soul, one Lord, one faith, one baptism. There may be all these and two baptisms; but this is like a house on fire at one corner. Carey and I never differ but we agree to differ, and in things respecting which it is no matter whether we differ or not. We often lay our heads together and form large plans, for all we produce such little executions; but we have difficulties you know nothing of. Sore troubles, implacable enemies; jealous eyes over us; and a variety of opinions formed on our conduct and designs. Some think we intend at bottom to turn this part of the world upside down as Missionaries; others think we have quite forsaken the Mission and gone after filthy lucre,—some think us wise, others foolish, some sober, others, mad. I will tell you one of our difficulties;—The people hereabouts speak a mixed language, part Persian, part Bengali, and part Hindusthani; so that we do not understand them, nor they us, half so well as I could wish."

The above is confirmatory of what we have said of Mr. Thomas's character in a former article. He certainly appears to have possessed somewhat too worldly a disposition for the duties of a Missionary, and strongly reminds us in certain of his peculiarities, of sundry country parsons with whom we are acquainted in England, but still he proves, according to the text of the Memoir, a most useful assistant to the Mission.

Mr. Carey writing to the Society makes the following pro-



posal with respect to the project for printing the Bible in the predominant Native language.

“ With respect to printing the Bible, I fear that is distant enough. We have been, perhaps, too sanguine ; but though means have hitherto failed, we are as much resolved as ever to give our all to that work. I think it will be better for at least 100*l.* per annum to be remitted hither by the Society, which shall be applied to the purposes of printing the Bible and educating the youth ; I think it very important (he adds) to send more Missionaries hither. We may die soon, and if we have no successors in the work, it will be a lamentable circumstance.”

We now learn that in consequence of some unfortunate speculations in business happening to Mr. Udny, Carey's employer, the latter has great fear that his situation may soon become untenable. Already certain deductions had taken place in the salary of the Missionaries. Influenced by this circumstance, Carey wrote to the Society strenuously advocating the necessity for more Missionaries to consummate, or, at least, to go on with what had been done in India, through his instrumentality. He proposed a plan by which Missionaries might be sent out one family to every year ; thus, at the expiration of a few years, a small colony of the sect would be formed, and by acting connectedly, infinite benefit might be expected from their general labours. In furtherance of his plan, Carey took into consideration the expences it would include, and he proposed a scheme on this subject, which was to considerably reduce the outlay that had been first occasioned to the Society and the Missionaries themselves, through inexperience. He recommended that the seat of the increased Mission should be Malda. Incited to activity by his situation through his employer's bankruptcy, he moreover thus recalls the attention of the Society to his proposition for printing the Bible.

“ It will be, at least, two years now before communications, &c., respecting printing will arrive from England ; in which time every correction may be certainly put to the translation. I was in hope of printing it at my own expense, but the unfavorable situation of these works for the production of indigo has kept me incapable of doing that. Mr. Thomas has ascertained that some years ago paper and printing here amounted to two annas a sheet, or about fourpence English. Owing to the largeness of the types, the number of sheets could not be less than thirty-five, or 288 pages quarto. Suppose ten thousand copies were printed, as they must be given away, the expense



would be 13,750<sup>0</sup> rupees, or 4,400*l.* sterling, an enormous sum. Now Caslon\* promised to cut founts for five shillings each. If the number of characters is 600, the punches would be cut for 150*l.*, and the number of types necessary would be bought for half-a-crown per lb., amounting to about 500*l.* to print the whole Bible. Should this plan be eligible a press must be sent out; and if a serious printer could be found willing to engage in the Mission, he would be a great blessing to it, to superintend, for Natives would do the work. Paper should also be sent from England, being so dear here.—Such a printer I knew at Derby before I left England. We can get 32,000 letters written for a rupee; but this is a great expense, and the errors that must get into every copy could not possibly be all corrected.”

## PRESENT STATE OF FEMALE INFANTICIDE IN INDIA.

*To the Editor of Alexander's East India Magazine.*—SIR, Permit me to solicit the preservation in your pages of the following letters on the present state of Female Infanticide in India. In your own periodical I have observed the following reference to this appalling practice extracted from the *Bombay Durpun*.—“A Native correspondent in Malwa has obligingly sent us an interesting communication on the horrible practice which lamentably prevails among the Rajpoots and other castes of the northern districts, of killing their own female children by poison and other means. The letter, in our opinion, well deserves the particular attention of the authorities at Gwalior and Indore, to whom it is especially addressed. The extent to which this cruel practice is carried in Malwa, must appear incredible to many of our Native readers; but the facts have been proved, beyond a shadow of doubt, by the confession of the parties themselves in many cases, and by actual ascertainment of the number of male and female children in some districts.”

A few facts will show the awful prevalence of this unnatural practice. “It is supposed,” says the late Colonel Walker, in 1808, “that the annual number of infanticides in the Peninsula of Guzerat amounts to 5,000! In 84 estates, villages, &c., the number of female children among the Jahrejahs of Kattywar, in

\* Some printer attached to the Society in England.



1817, was only 63! In 1824, was presented to Government 'A Statement of the Numbers of Jahrejah Females born and preserved in the Western Peninsula of Guzerat amounted to 266 Females!' The Resident in Cutch, in 1826, forwarded to Government a list of Jahrejahs amounted to only 143. Mrs. Elwood, in her *Overland Journey to India*, refers to this subject. She says, "As late as 1818, it was calculated that there were not less than 1000 infants destroyed; and in a population of 12,000 males, there were not more than *thirty female* children alive! The barbarous custom, it is to be feared, continues in full force, as was evident from a census of the Jahrejah villages which we saw in 1826; though some think it is on the decrease."

Lord Clare quotes from a Circular on Infanticide these words, "That Female Infanticide does not attract attention," and says the statement is incorrect. The whole sentence is certainly true—"Female Infanticide and Ghaut Murders do not attract that attention that their character demands." Happy day when this appalling practice shall awaken in every part of our Empire the "tender visitings of nature." It is pleasing to see the gradual abolition of this practice, but its prompt and entire suppression is imperatively demanded from the British people.

I am, yours truly,

PHILANTHROPOS.

B—, Jan. 13, 1837.

"Cuttack, Feb. 17, 1835,

"DEAR SIR,—I have enclosed for your use, if you have not already seen it, this part of a Calcutta newspaper, as every thing bearing on such a subject as Infanticide in India, must be always interesting to our friends in England. Infanticide, as you perceive, is practised to an alarming degree, more particularly upon female infants, who are usually murdered by their inhuman parents immediately on their birth. Various motives are assigned for the continuance of this cruel and barbarous practice. It should be observed, that daughters in India are usually looked upon as useless, excepting for the purpose of disposing of them in marriage to some neighbouring family, for which a compensation is often given in some shape or other. Where prospects of this nature are by any means shut out, daughters become like widows, quite an useless burden upon society, in their estimation. An instance is mentioned of the cruel effect of this absurd notion:—A man of eminent rank amongst the Sikhs, is said to have destroyed his daughters as they were born,



not from inability to maintain them, but from a dislike to giving them in marriage to any one not of equal estimation with himself. Thus rather than contract a marriage connexion or ally himself to an inferior family, he could deliberately imbrue his hands in the blood of his own children!

"We do not find, even amongst these unenlightened heathen, that the feelings of natural affection are extinct to the same degree. In some instances, we find parents more alive to the dictates of humanity. A female child is said to have been saved by the pressing intercession of its weeping mother. The order was issued for the immediate destruction of the infant as soon as the unnatural father had heard that a daughter was born. He had before this destroyed several of his daughters, and for some time he was inexorable and intent upon the work of death. It was an appeal, at last, to his superstition, which wrought a change in his obdurate mind. It was the birth-day of Krishna, one of the deities worshipped by the Hindoos. The mother pleaded for Krishna rajah's sake,—'O pollute not,' she cried, in all the agonies of a mother's feelings, 'this sacred day by the commission of so black a sin;' and this is the only daughter remaining in this family.

"Of the extent of this abominable practice, some idea may be formed, by the following results;—that, only 32 daughters were found where 189 sons were still living. As the sexes may be supposed equal, an appalling number of murders of this description must have been committed. In another place, in eighteen families, twenty-one boys and only ten girls were found: for the destruction of infants seems to be practised only towards girls. These horrible murders appear most frequent among the Sikhs, and, in Rajputana, these people are divided into several different sects or castes, and differing widely from each other in many respects. Some of these states are independent of the British, so far as direct control is concerned, but in all, I believe, the Company exercise an influence little short of positive dominion. A word at any time from the Governor-General, although not considered as law, would, no doubt, in most cases, be tantamount to a Government rule. In what way is it proposed to stop this revolting practice? It is proposed to express to these independent princes where this crime is most resorted to, and to the influential individuals amongst them, the utter abhorrence which all classes of the British community feel towards infanticides; and that Government should show particular favour to those Princes who could be induced to lay



it aside. This, no doubt, might be attended with great results. The officers and others, in the pay of the British, who hold situations amongst these people, are, it seems, to be requested also to discountenance this kind of destruction. O may God send his light and truth among them, then shall these innocents live, and the blood of children no longer cry against them for vengeance.—Yours truly,  
W. BROWN."

The following Letter is from Lord Clare, late Governor of Bombay.

• " *Mount Shannon, Sept. 16, 1835.*

"SIR,—I have the honor, within the last few days, to receive your letter of the 17th July, respecting the progress made by the British Government in putting an end to the horrid practice of Female Infanticide in Cutch and Guzerat. In reply, I beg to state, that, having left all my Indian papers in London, I can only write from memory, and you will, therefore, have the goodness to make allowance for inaccuracies in my statement.

"In the course of the last year, the Resident in Cutch, informed the Bombay Government, that his Highness the Rajah of that Province, had voluntarily offered to use his best endeavours to save the lives of all female children born in his dominions; and, from the enlightened character and energy of the young Rajah, I am satisfied he will do all in his power to second the views of the British Government. You are, however, probably aware, that there are in Cutch, nearly two hundred nobles, each exercising independent jurisdiction, within his territory; and we cannot expect that they will, all at once, abolish this horrid practice. The example and authority of the Rajah, supported by the weight of the Company, will, I make no doubt, in time, have due effect in that country.

"In the course of the last year, we had a very satisfactory report on the subject of Female Infanticide, from the Political Agent in Kattywar, and, from the statement made to us by Mr. Willoughby, the lives of many female children have been saved in that Province. I regret that I have not the document before me, but the impression on my mind is, that Female Infanticide is on the decrease in almost all the talooks in Kattywar.

"There is a considerable sum in the hands of the Political Agent, derived from fines which the Bombay Government, has made available for the purpose of rewarding those Chiefs who have saved their female children; part has been also given in rewards for information of gross cases of infanticide; and, I



believe, that this has been and will be attended with the best effects.

“ I observe, in the printed paper which you sent to me, these words,—‘ That Female Infanticide does not attract attention ;’ —you must permit me to say the statement is incorrect. The Government and the Company have done much to put a stop to the practice, and no one has a right to blame the enlightened Rulers of British India, that they have not done more. The bigotry, superstition, and cruelty of an idolatrous nation are not to be corrected at once, and I confess that, having resided in India for four years, at the head of the Bombay Government, my only surprise is, that the Company has been enabled, with such facility, to put down Suttees within its own territory, and to check the progress of Female Infanticide. I trust in God that the mild rule and example of the British Government will, hereafter, induce all our Indian allies to unite with us, in putting to an end these horrid crimes throughout the whole of that vast empire. As you state that you have resided as a Missionary in India, and that a communication on the subject of your letter will be interesting to your friends, I have thought it my duty to reply to it ; but, I write from recollection only of what occurred before I left India.

“ I have the honor to remain, Sir,

“ Your obedient Servant,

CLARE.”

#### APPEALS FROM INDIA TO THE KING IN COUNCIL.

In a debate at the East India House, which took place on the close of the last year, Mr. Wigram submitted the following motion. We extract his own observations with reference to it.

“ It will be recollected that an act passed the legislature about two years ago, enacting amongst other things, that the Company under certain circumstances, in cases of Appeals from the Courts in India to the King in Council, should put in appearances and appoint agents for conducting the cases of appellants and respondents. I had expected that some motion would have been made in the House of Commons for a return of the number of such appeals, the progress made in them, and the nature of the decisions, where such has been made. As no such return has been moved for in Parliament and as I think that the information which it would convey would be of great importance in this country and in India. I now move, “ That



there be laid before this Court the following papers and accounts :—

1st.—A list of the Appeals from India to the King in Council, to which the East India Company have been directed to appear under the powers of Act 3rd and 4th William IV. cap. 41, section 21., with the dates of such order or orders, and also the dates when such appeals arrived in this country.

2d.—A list of the Appeals which have been heard before the King in Council, stating, if the decrees have been in favor of the appellants or the respondents, with the date of each decree, and when the same were forwarded to India.

3d.—An account of all sums of money paid by the East India Company in consequence of those Appeals classed under the following heads :—

On account of Appeals heard—and partly heard.—Ditto ditto now before the King in Council.—Ditto ditto now before the Indian Government, as not coming under the above heads.

4th.—An account of the amount ordered by the King in Council to be repaid to the East India Company.

5th.—An account of all sums of money which have been received in aid of costs in this country and in India.

6th.—An account of the amount which the East India Company is now in advance by reason of those Appeals.

The motion being seconded by Sir C. Forbes in a few well chosen remarks, was then put and carried.

The readers of this Magazine will call to mind an article to be found in the Second Volume, entitled, "Indian Appeals to the Privy Council," in which we endeavoured to explain as lucidly as possible, the nature of the power possessed by the final Court of Appeal, termed, the King in Council, as regarded Indian appellants. In order to bring the point clearer home to the reader's comprehension, we will now recal his notice to the following paragraph extracted from the article in question :

"The real object of the British Constitution, in considering the King in Council as a Court of Appeal from the different Courts established in all the British Colonies, is, to secure, through those Courts and their respective Judges, for all the inhabitants of those Colonies, whether Europeans or Natives, by placing them directly under the protection and superintendence of his Majesty in Council, the strict observance of those different systems of law, which the legislature has deemed wise to establish amongst them."

Incited by the debate above quoted, we have been induced to examine certain propositions for the better management of the final Court of Appeal in India cases, made by Sir Alexander Johnston, the late President of his Majesty's Council in Ceylon, and contained in his evidence given before the House of Commons.

As it now exists, the duties of the final Appeal Court are re-



solved into a mere "nihil." The two officials attached to it, being men of influence and property, cannot well be expected to devote their time as closely as could be wished to arduous duties which, nevertheless, only command a salary of £400 per annum each to two individuals. It is requisite either that the present officers of the Court receive a considerable augmentation of salary, or that they (as, doubtless, they would be willing) retire to make room for some better arrangement. As it is they witness cart-loads (we might almost say) of documents consisting of India appeals accumulating year after year, only to moulder and rot into mere waste paper. \*Numbers of cases of appeal commenced, and accumulated since so far back as 1789-90, still in 1837 remain unsettled, and without some important reform anent the matter shall take place, they are as likely to remain *in statu quo* for another century. Sir Alexander Johnston, with these facts before his eyes, strenuously recommends in the document which we give below, that some active competent individual, possessing very general acquaintance with the Indian mode of Judicature, should be employed as Registrar of appeal cases coming before the King in Council, and that such a party might be engaged for such duty without any additional expense being saddled upon the country. The latter circumstance is to be prevented by withdrawing from the present "officials" the salaries they receive, and conferring them connectedly upon the proposed Registrar; a project which comprehends a great public benefit at the expense of a trifling individual loss.

But our authority makes another proposition for the better regulation of appeal cases which deserves our notice as only secondary in importance to the first. It is recommended that a certain number of the retired King's and Company's India Judges be called in aid of the Privy Council, whilst sitting as a Court of Appeal.

We learn from the evidence of Sir A. Johnston, as, indeed, we knew from experience, that that gentleman has devoted many years of active and practical consideration to the subject we are examining. We could wish to do more than thus cursorily to introduce the following valuable paper, but our limits are prescribed.

\*. THE EVIDENCE OF SIR ALEXANDER JOHNSTON.

Have you any suggestions to add to those contained in your paper respecting appeals to the King in Council from India?—I have only to add, that measures ought immediately to be adopted for relieving all the parties to the appeals which have been so long pending before the Privy Council, from the great expense and



inconvenience to which they have been subjected by that delay. In order that the Committee may know what measures it may be advisable for them to adopt, I shall beg leave to explain to them the nature of those which have already been taken upon the subject. In 1809, the late Marquis of Londonderry, then Secretary of State for the Colonies, when he appointed me Chief Justice, first member of the High Court of Appeal, and President of his Majesty's Council on Ceylon, being fully aware of the defects of the constitution of the Privy Council considered as a Court of Appeal from the Courts in India, and knowing that the offices which I held would enable me to become thoroughly acquainted with the subject, expressed a wish that I would give it, while on Ceylon, the most mature consideration, and when I returned from that island, report my opinion to him as to the best mode of rendering the Privy Council an efficient and expeditious Court of Appeal, for hearing cases in appeal from India. In order to enable myself to acquire all the necessary information, I, previous to my departure from England in 1811, with the assistance of the late Mr. Chalmers, then one of the clerks of the Council, examined the nature of all the proceedings which had taken place from the earliest period, before the Privy Council, in cases of appeal from all the British Colonies, and made copies of the opinions which all the Crown Lawyers and Judges had at different periods given upon the question; and during my stay in Ceylon, examined most attentively all the proceedings which took place in India, in cases which were appealed from the three Courts of Sudder Adawlut in that country to the King in Council in England. In 1822, I, after my return from Ceylon, at the request of the late Marquis of Londonderry, gave his Lordship, as I have already mentioned, the paper of which (C) is a copy. As the Marquis died soon after, no steps were then taken for carrying into effect any of the measures which I had proposed in that paper; one of them was the measure for calling in aid of the Privy Council, whilst sitting as a Court of Appeal in Indian cases, a certain number of the retired King's and Company's Indian Judges. In 1825, on my attention being again directed to the subject, I found, that in consequence of a variety of different circumstances, particularly of the ignorance of the natives of India as to the mode of prosecuting their appeals before the Privy Council, scarcely any appeals whatever from the Courts of Sudder Adawlut, in which natives of India only were concerned, had been heard and decided by the Privy Council since the year 1799, and that nearly fifty cases, some of which were of great private and public importance, were in arrear, and had become a cause of great expense, great inconvenience, and great dissatisfaction to all the natives of India who were in any way connected with them. In 1826, knowing as I did, that it was the Marquis of Londonderry's intention, had he lived, to have advised his Majesty's Government to adopt the measure I had proposed relative to Indian appeals, I felt it to be my duty to call the attention of the Board of Control and some of the members of the Privy Council to the subject, and with that view drew up the paper of which (D) is a copy, explaining to them the nature and extent of the appellate jurisdiction of the King in Council, in cases connected with British India, and pointing out to them a mode by which the Privy Council itself might be rendered without any additional expense to the public, a most efficient Court of Appeal for all Indian cases. In order to facilitate the proceedings of such a Court, and to enable the Privy Council to decide without any further delay upon the cases which had been so long in arrear, I, in pursuance of the plan contained in the paper (D) suggested to the then President of the Board of Control the utility of employing Mr. Richard Clarke, a retired Civil Servant of the East India Company, well acquainted with the proceedings of the Company's Courts in India, as a Registrar for Indian appeals in this country, an office which will afford the Privy Council the means of acquiring without delay a thorough knowledge of the nature of all the different cases which may be appealed from India, and of deciding upon each case, if the parties require it without putting the parties to the expense and delay of being heard by Counsel. Mr. Clarke having in consequence of my suggestion been employed by the Board of Control in communication with the Court of Directors, and having completed an analysis of the several cases of appeal now in arrear, the present President of the Board of Control, with the most laudable anxiety to relieve the natives of India from the grievance which they have so long suffered, and to prevent for the future all unnecessary delay in the hearing of Indian appeals in this country, in March last, requested Sir E. Hyde



East, the late Sir James Mackintosh and myself to assist him with our advice upon the subject. The paper (F) contains copies of the letter which Mr. Grant wrote to me upon the occasion of my answer of the joint opinion of Sir E. H. East, Sir James Mackintosh and myself, of a letter which I subsequently wrote to Mr. Grant, and of a paper which I enclosed in that letter, explaining to him in detail all the different measures which I, after consulting with Mr. Clarke upon the subject, thought necessary to be adopted in India and in this country. These papers have, I understand, been forwarded by the President of the Board of Control to the Privy Council, and are now under their consideration.

"It has been suggested to the Committee, that instead of allowing an appeal to the King in Council from India, there ought to be constituted in India a final Court of Appeal from all the different judicatures there established; what is your opinion of that suggestion comparing it with the plan which you have recommended?" I think that the Court of Appeal, if established in England according to the plan I have proposed, will be a more competent, a more independent, a more popular and less expensive Court of Appeal than any which can be established in India, a more competent one because it will be composed, which it could not if it were established in India, of the most efficient of the King's and Company's Judges, who have retired from the service after having held for many years the highest King's and Company's judicial situations in India, and who must possess more judicial and local information than can be procured from any other persons relative to every part of India. A more independent one, because it will be composed, which it could not if it were established in India, of men who have retired from the service, and are independent in their circumstances, and who therefore can have nothing to fear or to hope either from the local government or from persons high in authority in India. A more popular one, because it will, from being connected with the Privy Council, and from being supported by an enlightened British public be able, which it could not be if it were established in India, effectually to shield against every unjust and party attack those Indian Judges who may feel it to be their duty, however detrimental to their local interest, and to their comfort in society, to protect the natives of India against any description whatever of arbitrary exaction or oppression. A less expensive one, because it will be composed, which it could not be if it were established in India, of Judges of talent and experience, who are to receive no pecuniary remuneration whatever as Judges of the Court of Appeal. To avoid all unnecessary delay, and all unnecessary expense, I should propose, if such a Court be established in England, that a person thoroughly acquainted with the nature and proceedings of the King's and Company's Courts in India be appointed Registrar of the Court in this country for Indian appeals. That all the appeals and all the papers connected with them be sent direct from the Courts in India to this officer. That it be the duty of this officer as soon as he receives the papers in each case to arrange them, and make a report upon them to the Court. That it be the duty of the Court, after perusing the papers, to decide upon them without delay, hearing Counsel or not in each case, as the parties interested in the case may require. If these rules be adopted, the result of every appeal to England may be known in India in ten or twelve months from the date at which the appeal papers were originally forwarded from India to England, and the only objection, that of delay which is urged with any weight against the Court of Appeal being established in England will be effectually answered, and all grounds removed for depriving eighty millions of his Majesty's subjects in India of the right of appealing to the King in Council in England, which every British Colony in every quarter of the globe has always possessed, which they themselves have enjoyed for the last sixty years, and which is of peculiar importance to them in the present times, when in consequence of the great progress which they are making in knowledge and of the enlightened views which they are beginning to entertain upon all questions of law and government, they are more in want than ever of the protection of an independent Court in England, where proceedings will be always subject to the observations of an active Press and both Houses of Parliament.

Your answer seems to imply the continuance of the present system; in other respects how far would you modify your opinion, on the supposition that such a change was to take place, or to introduce into India an extra number of European residents, to create a local public of greater influence and efficiency



than now subsists in that country; and in other ways to supply both more materials for an Appellate Court, and a more efficient control by means of a public supervision over the proceedings of such Court?—My opinion is entirely formed upon a consideration of the present state of society in India; many years must pass before it will be advisable for the natives of India to relinquish the right which they now enjoy of protecting themselves against injustice by an appeal to the King in Council, in England.

## CEYLON AND MADRAS.

The principal object which fixes the attention on a near approach to Ceylon, is, the mountain termed the Friars' Hood, so called from the resemblance which the peak of it bears to a hood. The prospect along shore is delightful. The woods imparting to the gale an agreeably refreshing odour. This coast here very much resembles the English coast between Yarmouth and Ipswich; except that along the beach appear numerous groves of cocoa-nut trees, interspersed with Indian huts, or, as they are called, *bungalows*. Behind, the scenery is truly romantic; hills and mountains rising in the wildest order and most fantastic shapes; abrupt precipices, pleasant vallies, thick groves, towering cliffs, and lofty mountains, are intermingled in "most admired disorder," and clothed in Nature's richest livery. From the singular appearance of some of the hills, they have been nomenclatured after various grotesque ideas, such as the dromedary's back, &c. The Ceylon harbours as that called Trincomallee harbour, and another, Back bay, deserve mention. The latter in particular is considered one of the most capacious harbours in the world. Flag Staff Point, a rugged promontory projecting into the sea, and which ends in a perpendicular precipice, forms a fine contrast with the smooth expanse of ocean below. From Ceylon, passing the Danish settlement of Tranquebar, the only thing that attracts attention is an assemblage of ruins, called the *Seven Pagodas*, which are situated on a little hill of stone that rises abruptly on the sea shore from the surrounding plain: when viewed, however, with a good glass, one or two only appear, rising, as it were from the ruins of other buildings, the whole having, indeed, an antique and venerable cast. Mahabaiipoorun, or the seven pagodas, consists, to use the explanation of an intelligent traveller, of a Hindoo pagoda covered with sculpture, and hewn from a single mass of rock about 26 feet high. A great surface of the rock near this structure is covered with figures *bas relievé*. The most conspicuous is a gigantic one of the god Krishna, with his favorite Arjoon in the attitude of prayer: opposite, and



surrounded by a wall of brick, are several pagodas of great antiquity. Adjoining, is an excavation in the rock, the massy roof of which is seemingly supported by columns not unlike those in the cavern of Elephanta. Farther on, is another excavation, now used as a shelter for travellers. A scene of sculpture fronts the entrance, in which are groups of very interesting figures.

In the way up the rock a prodigious circular stone is passed under; so placed by nature on a smooth and sloping surface, that you are in dread of its crushing you before you clear it. The top of the rock is strewn with bricks, the remains (it is said) of a palace anciently standing on this site. Descending over immense beds of stone you arrive at a spacious excavation, a temple dedicated to *Siva*, who is represented in the middle, of a large stature and with four arms; the left foot rests on a bull couchant, a small figure of *Brahma* on the right, and another of *Veshnu* on the left hand. At one end of the temple is a gigantic figure of *Veshnu* sleeping on an enormous *cobra de capella*, with several heads, and so disposed as to form a canopy over the head of the god. Near these, is a human figure suspended with the head downwards.

Over this temple, at a considerable elevation, is a smaller one, wrought from a single mass of stone. Adjoining, is a temple in the rough, and a large mass of rock, the upper part roughly fashioned for a pagoda. The whole rock is a species of extremely hard granite, and must have taken an immense labor to have brought it to the wondrous piece of antiquity it now is.

East of the village, and washed by the sea, is a pagoda of stone, containing the Lingam, and dedicated to *Siva*. Besides the usual figures within, one of a gigantic stature is observed stretched on the ground, and represented as secured in that position.

The surf here breaks as far out even as the ruins of the city, which was incredibly large and magnificent. Many of the masses of stone near the shore appear to have been wrought.—The route now lays direct for—

MADRAS, which is soon reached. The first object that strikes the European, on his arrival here, is an extensive, beautiful, and very strong fort, built on the sea-side, and containing handsome squares, streets, churches, barracks, and other public buildings. To the right of the fort, and at a little



distance from the beach, there is a partial view of what is called the Black Town; which takes its name from the inhabitants, most of whom are people of colour. The approach to Madras, from the sea, offers to the eye an appearance similar to what we may conceive of a Grecian city in the days of Alexander.—The clear blue and cloudless sky, the polished white buildings, the bright sandy beach, and the dark green sea, present a combination totally new to the eye of an Englishman just arrived from London. To the right of Black Town, and close to the beach, nearly a mile to the northward of the fort, there is a chain of buildings, which, from their magnificent appearance, might be taken for some royal residence; yet these are the Custom House and the offices of English merchants. Southward of the fort is the Government House, near the beach. It is composed of two separate buildings, each of which is beautiful in itself. A little way south of the Government House, stands the Nabob of Arcot's Palace,\* so imbedded in a grove of trees, that very little of it can be seen from the sea. From hence, for five or six miles in every direction, the country is studded with gentlemen's seats, called "Garden Houses," which, from their marble-like porticoes and colonnades, might at first be taken for so many Grecian temples.

It is amusing to the spectator, as it is embarrassing to the stranger, to behold the crowds of dubashes, coolies, and servants that surround the latter, the instant he sets his foot on shore; pestering him with their certificates, and soliciting permission to attend upon Massa. If he gets clear off the beach in a quarter of an hour, he is lucky; and, as he has generally occasion to repair to the bazars, in quest of linen, light clothes, &c., his palankeen is attended by a score of fellows, who, at each shop, cheat, wrangle, and, at length, fight about the profits.

Every arrival from Europe, (particularly if it is the traveller's first visit) is a fresh harvest for blacky, which he takes good care to gather in; and every one, as soon as he touches *terra firma* is a *griffin*, (a term applied to all new comers) and consequently fair game. The scenes of contention for employment, among these fellows, are sometimes highly ludicrous. The mixture of fury and fear depicted in their countenances and gestures, their menacing attitudes, and, above all, the torrents of unintelligible jargon with which they bespatter each other

\* Which; it is said, few can enter without incurring banishment from India.



would excite the risibility of a stoic. It is, however, indispensably necessary to have a dubash, who transacts all business in the bazars, and who takes especial care that no person but himself shall cheat you ; which, to be sure, is only a negative kind of advantage, yet, “ of two evils, it is better to choose the least.”

The gay assemblage of our fair countrywomen, who every evening sport their elegant figures and brilliant equipages, while taking the air on the public promenade is as striking a feature in Madras as that of similar gay resorts in Paris, or Hyde Park on a London summer.

In most parts of India, but at Madras particularly, you cannot stir out unless in a palankeen or buggy ; it being mostly a red sandy ground about this place, the reflection of the sun is dreadful, and *coups de soleil* are frequently got by walking up, from the beach to the Black Town. • The palankeen is a very pleasant conveyance, and with eight bearers, which are generally sufficient, will cost about 2½ rupees, or 6s 6d per day.

We will now endeavour to describe a peculiar inconvenience to be experienced by all who seek a landing at Madras.

From the ship a stranger is conveyed on shore in a boat of the country called a massulah boat ; a work of curious construction, and well calculated to elude the violent shocks of the surf, which breaks here with great violence ; they are formed without a keel, flat-bottomed, with the sides raised high, and sewed together with the fibres of the cocoa-nut tree, and caulked with the same material. They are remarkably light, and are managed with great dexterity by the Natives : they are usually attended by two catamarans (rafts), paddled by one man each ; the intention of which is that should the boat be overset by the violence of the surf, the persons in it may be preserved. As the surf of this settlement is perhaps unequalled, there seldom passes a monsoon without the loss of several lives ; and, consequently, the settlers are very averse to crossing it. In common weather, there are only two or three distinct surfs, the outermost of which is the largest and most dangerous ; but in bad weather, and especially at the breaking up of the monsoons, it sometimes has been known to break as far out as where the ships lie at anchor. It is very interesting to see these massulah boats, with the men lying on their oars, on the very verge of the surf, waiting and carefully watching till a very large one has broke close within them, when they immediately pull in with all their might, and with a united



concert of vocal *discordance*, if we may apply the term, that might well rival the war-whoop of the American savages.

It has been a question in which the greater danger consists, the going on shore or the coming off:—but the former is considered as involving the most. In going towards the shore, the accidents generally happen by the broaching-to of the boat; and, in going off, by a large surf curling in over the boat, and swamping or staving her. The catamarans, however, are often instrumental in saving the lives of passengers.

Madras was settled by the English about the year 1646. It was taken by the French, in 1746, and restored by the treaty of Aix la Chapelle. The fort was planned by a Mr. Robins, the real author (it is believed) of “Anson’s Voyages,” and the fortress is decidedly one of the best in the possession of the British nation. N. latitude, 13° 4’ — E. longitude, 80° 25’.

### ATTACK ON THE GHURRY OF OOMRAIZ.

In the month of February, 1805, when the whole of the Deccan was in a very disturbed state, partly from a scarcity almost amounting to famine, and partly from the numbers of armed freebooters, which the recent conflict at Kittoor had scattered over the country, the potail of Omraiz, a small village on the south bank of the Beema refused to pay his accustomed *kist*\* to Government. He was told by the Political Agent that such refusal must be met by force; to which he briefly replied, that “he cared not for force; that we might send our troops if we pleased; that if we did so he should fight us; but that pay his *kist* he would not!” Orders were consequently sent to the officer commanding the nearest station, Sholapore, to take immediate measures for the punishment of the refractory potail and the capture of his ghurry, lest it should become a nucleus for the many discontented spirits then roaming throughout the land, and its seizure be attended with increased difficulty. From the heavy drain of the Burmese war, the garrison of Sholapore consisted of only one corps of cavalry and one of infantry, without a single artilleryman. In what was commonly called “the arsenal” inside the fort, there were to be found neither petard, nor howitzer, nor mortar, nor shell, nor scaling ladder! One solitary field piece, however, there was a six-pounder in pretty



good order: but while there was abundance of twelve-pound ammunition, without any ordnance of that calibre, by the judicious arrangements of the Military or *dilatory* Board, the round shot for the six-pounder did not exceed two dozen!! Miserably inefficient as were the means at command to reduce a stout Mahrattah ghurry, the Brigadier was so sensible of the mischiefs of delay that he resolved to make the attempt at all hazards. The Quartermaster-Serjeant of the Cavalry had been an artilleryman, and by his supervision, two jemadars and a few troopers of that corps, who had formerly been attached to the gallopers, were hastily drilled into a little gun practice and appointed to the charge of the field piece. In two days the detachment marched, it consisted of the six-pounder, a squadron of cavalry and somewhat under three hundred infantry, being all that could be spared from the duties of the garrison. The Brigadier himself commanded, accompanied by his Brigade Major, five officers of cavalry, three of infantry, and a surgeon. The first march was only 13 miles, the second much longer. We marched at 11 at night, and reached the ford on the river, about a mile below the ghurry, a little before day-break. Here we halted. Our Commandant sent for the Chief of an adjoining village, and for the first time was enabled to obtain some tolerably accurate information relative to the fortification of the place, its capability of defence and the probability of resistance. The intelligence received was certainly not pleasing:—"That there was a broad but dry moat, a high double wall and half a dozen gates, the last of which was so small that only a fox could get through. That the place contained 300 well-armed soldiers, that all their families had been sent away to a distant village, while the Potal was a resolute, determined man, who had once held that very ghurry for three months against all the power of the Peishwah's army! "*La houl jeïllah!*" exclaimed the Col., rising, "Gentlemen, we shall assuredly have some hard knocks and broken heads before sun down. But we must try what a bold front and desperate effort will do, and if we succeed in forcing the two outer gates, as I trust we shall do, the fellows will probably surrender. It will not be the first time that I have seen the gates of a Mahrattah ghurry blown open before breakfast. Mount!" --and onwards we dashed across the stream. As the advanced guard wound up the opposite bank through a narrow ravine, about a mile below Oomraiz, the dawn was breaking; the flash of our arms told the enemy of our approach, and the gong of the fort beat loud and long, and the walls were soon manned



with armed men. Onwards we went, the cavalry making a detour so as to intercept any attempt at escape, while the gun with the infantry marched direct for the gate; and a jemadar of cavalry, a fine gallant fellow, dashed up the glacis to the very edge of the ditch reconnoitered it and returned unharmed amid a shower of balls.

But I must first describe Oomraiz, which was something more than an ordinary Mahrattah ghurry, and was, indeed, a most formidable little fort, which might long defy a whole army unprovided with shells or scaling ladders. Figure to yourself, reader, a square of about 60 yards diameter, divided into two distinct Courts, enclosed by a substantial mud curtain 25 feet high, with circular bastions at the four corners, on which were mounted long gingals and small cannon from one to two-pounders, and loopholed for matchlocks all round. On the S. E. bastion rose a tower of two stories, on which was mounted a long wall-piece, carrying a one pound ball, and which commanded the entire work. The whole was surrounded by a wide dry ditch in which were the houses of the respectable ryots, while on the Eastern glacis were the huts of the Deyr inhabitants. To the North flowed the river 600 yards wide, parallel with which, and only a few feet from the top of the bank, was the outer face of three parallel lines of outwork, with which that front was defended and, through which was the only entrance to the place, by a gateway in each. The outer gate was in the centre passing which you entered a traverse to the left, leading to a second gate in the wall on your right hand; having passed which you entered the ditch, at a point immediately commanded by the bastion at the N. E. angle, and the tower at the S. E.; thence advancing by a narrow traverse, and turning to the right you entered a court yard, between the second and third line of walls of outwork, exposed to the entire north front of the ghurry. In this third wall, at its north-east end was the third gate. having passed which you found yourself opposite the body of the place. In the centre of the curtain was gate the fourth, guarded by a low circular machicollated wall, which precluded the possibility of its being blown open by a gun. It was further protected by the two bastions, right and left, by which it was flanked. Passing this you had yet the gate in the parti-wall to force, ere you could reach the rampart, and then you were still exposed to the fire from the tower, and which was only accessible by a small wicket raised some feet from the rampart.



Such was the ghurry of Oomraiz, as we afterwards found it to be. To an enemy unprovided with shells, such a work obviously presented the means of determined opposition, and such we unhappily experienced to our cost. It must be remembered that the mode of blowing open gates with a simple bag of powder had not then been discovered. Had we been aware of such effect, our attack would have been attended with far different results.

On approaching the ghurry one company diverged to the left under cover of the few huts on the glacis, above-mentioned, with a view to keep down as much as possible the fire that would open upon the attacking party which marched straight for the gate. The enemy waving their hands and shouted to the party to keep back, and at length fired. This was answered by the covering party and light infantry, and the six-pounder was run up at speed. A line of fire now ran along the whole face of the work. Then pealed the thunder of the gun, and the gate was burst open. It was, however, too narrow to admit the gun—which was accordingly reloaded, and in two more discharges both door posts were shot away and torn down. The gun was then brought into the traverse, from the narrowness of which, however, it could not be turned so as to bear direct upon the second gate. From the wall above, the enemy maintained a brisk fire, and threw down large stones and logs and lighted combustibles, some of which wounded the men, while others, nearly disabled the ordnance. Four shots were fired, however, obliquely without effect. The fifth struck the massy hinge; and one half the gate came thundering down, but, falling across the passage, it became fixed; leaving an entrance not quite four feet by three. Through this sort of window, amid the smoke and dust, three officers and about a dozen men instantly sprang, and rushed to the third gate, which the enemy had but just had time to fasten in their retreat. The sepoys outside now hurried into the traverse to follow their comrades, but the smoke and dust had cleared, and the entrance was thus exposed to the whole fire from the bastion. In springing through the opening, the officer commanding this supporting detachment was shot dead, and the fire was so fast and true, that of those who attempted to follow and avenge him, every man fell, either killed or wounded. The small party within vainly endeavoured to break open the third gate, which they found proof against anything save gunpowder, although they long persevered in the attempt. At length several of them were



wounded. There was no secure shelter to be obtained, and the fire from the bastion on the second gate was so heavy as to preclude the possibility of their receiving support. Their position was thus one of much danger; they could neither force the gate, nor were they sufficiently strong effectually to resist a resolute sally should such be attempted. Under these circumstances, it was resolved that one of the party should carry a note to the officer commanding for instructions. It was a service of peril—and one of the officers volunteered, while the rest of the party secured themselves, the best way they could, under cover of the wall. He reached the gate unharmed, but on stepping through the opening he received a shot in the groin, which broke his thigh just below the joint. Fortunately he fell through the gate, and was thus picked up by our men in the traverse. It was now near 10 o'clock A. M. The whole detachment had been under arms since eleven P. M.; had marched all night; had been exposed for three hours to a hot fire, a burning sun, and were without food and water. We had suffered severely. One officer, one havildar, and seven men killed; one officer, one jemadar, the European serjeant, and 46 men more or less seriously wounded. The gun could not be brought forward, nor the gate, jammed as it was, forced open so as to admit of succour being despatched to the party inside, and the commandant, reluctantly ordered a retreat. The party within made their exit with the loss of only three men; but had the garrison been resolved, not one could have escaped. As it was, they seemed but too happy to see symptoms of retreat, and let them off cheap with one volley and a cheer! By great exertions the gun was extricated from the traverse, and the detachment made good their retreat, carrying with them the whole of their wounded, encamped just out of gun-shot, on the banks of the stream east of the village. I had been stationed with my troop about 700 yards west of the place during the whole attack, and never remember to have experienced a more uneasy state of suspense. An angle of the ghurry precluded my seeing what was going on, beyond the dense cloud of smoke, and I could alone sit quietly on my horse, and listen to the loud thunder of the gun, or the lengthened roll of musketry, while ever and anon a stray jingal shot would find its way towards us, now striking just in front, now whizzing over our heads. I had one man and two horses struck, but none seriously hurt. I knew not the result of the attack until near 11 o'clock, when an orderly galloped up to desire the return of my troop to camp.



Reinforcements were immediately sent for. About mid-day, two Brahmins, who had been long detained as prisoners by the Potal, were dispatched to the officer commanding, with an offer of immediate surrender on the part of the garrison, if he would guarantee the safety of their persons. But no terms save those of unconditional surrender would be received, and they returned to the garrison. At night, we surrounded the place with a cordon of patrols, but it was found impossible efficiently to guard the river bank. The next day we threw some of our few remaining round shot into the place, which again brought forth the Brahmins with an offer of surrender—they again returned unsuccessful. The garrison now resolved to evacuate the place, and that night they effected a retreat, leaving behind them their stores, and even their arms. I came on picket at three in the morning, and heard the gong in the ghurry regularly strike the hour, and could see several men standing and feeding the watch-fire, which burnt brightly on the northern tower. However, one of my Native officers told me that about midnight there had been a great noise inside, and that he suspected the garrison had escaped. Still, however, we could distinctly see the men standing over the watch-fire. A little before day-break, I rode with two orderlies close up to the works, and there met the two Brahmins coming forth to report that the place was empty! I sent them under a guard to the Commandant, and then dismounting and accompanied by half-a-dozen of my troop, entered the place. The poor fellows who had been killed in the assault, two days before, were lying unburied as they fell; their arms by their sides; their clothes and accoutrements untouched. I sprang through the gates one after another, leaving a man to guard each, and ran with two sepoy to the spot, where I had noted the watch-fire, and there a singular scene presented itself. Three men and two women were chained together to a large ring in the ramparts, and had been compelled, together with the two Brahmins just mentioned, under a threat of certain death, to feed the watch-fire and strike the gong; and it was, accordingly, their forms I had seen standing round the flame, and which I had naturally concluded were part of the garrison. Leaving them quickly, I passed on to the tower, on which the blood-red flag was flying in the morning breeze. Under this tower was the magazine. As I entered the building, I remarked a slight smoke and peculiar odour, but I ran up stairs and hauled down the



flag, and then quickly retreated,—placing a sentry to prevent any person approaching it without further orders. I suspected treachery, and which afterwards proved to have been intended, but the attempt failed, for the match burnt out without the mine exploding.

In the centre of the inner court we found, carefully covered up, a deep and dry circular well. Into this a man was lowered by a rope, and we found it to contain, not only a considerable store of grain, but all the arms of the garrison secreted. These consisted of several jingals, one curious old Spanish wall-piece, some long Mahrattah spears, about seventy swords, including several fine Solingen blades and one superb double-edged Andrew Ferrara, some breast-plates and chain armour, and above 300 matchlocks, some of which were handsomely mounted in gold and silver.

The next day we discovered the magazine under the great tower, the train to which was not fired as was intended. It contained a large quantity of powder, which we found very useful in destroying the works. The curtains were undermined and thrown down, the four bastions blown up, and the gates burnt; while the stores of grain, ghee, &c., the arms, and several fine Decanny mares, were sold for the benefit of the poor wounded men. We then sorrowfully retraced our steps to cantonment.

There had been no lack of courage or enterprise on our part, albeit unsuccessful—there was possibly some lack of prudence, but truth must be told,—the fellows out-fought us, out-witted us, and escaped; we never caught a single man. The village was resumed by the British Government, and has since become a flourishing place. It was formerly little better than a den of thieves and marauders. The Potail is, I believe, still a wanderer somewhere in the Deccan. He was not very long since in the Kolapoor territories. A large reward was offered for his apprehension, but he was never betrayed or given up. It appeared from subsequent information, that when the second gate was burst open, the garrison were on the point of giving in, but that when they found we could not force it entirely, nor bring the gun forward, they abandoned all intent of surrender, and resolved to fight us boldly to the last.

With our miserably inefficient means, our repulse might have been anticipated, but our leader had seen so many places carried in the early Pindaree war by a *coup de main*, that he resolved



to make an attempt in the present instance, and risk the affair with the means at our command, rather than sit down patiently, and await the arrival of artillery, and ladders, and shells. The upshot was, that we were soundly thrashed.

I must not conclude this narrative without a brief and humble tribute to the memory of the two British officers who fell on this sad occasion: one was an officer of Cavalry, the other of Infantry. With the latter I was well acquainted; the former was my valued friend. The one was shot through the head, and sank into the arms of the subadar of his company, and died without a groan. He was a kind, cheerful, and high-spirited young man, about 22, and universally esteemed. His body was sent into the cantonment of Sholapore, and there interred. His name was Philipson, a Lieutenant of the 44th regt. Madras Native Infantry.

The other belonged to my own regiment, he had preferred a personal request to the Brigadier for permission to dismount and proceed with the principal attacking party, which request had been reluctantly complied with. He attached himself to the gun, and when the second gate was shot away, he was the first to dash through the opening and reached the third gate in safety. It was he who subsequently volunteered to return with the message for orders, in which he received his fearful wound; he partially recovered, but the limb was shortened some inches; the wound, however, never thoroughly healed, and splinters of the bone subjected him to continual torture. He was rewarded with a staff appointment, and lingered on for some years, sometimes very ill; at others nearly recovered. At length his constitution became impaired, the wearing agony of the wound brought on excessive debility. He tried a change of climate without benefit, and at the early age of 31 he died of a decline; he was buried at Cochin. I have now been many years in India, I may have made me many friends; but I may confess without injustice to them, that I have met with few, in every way worthier of being honored, esteemed, and loved than William Milnes. 'Oft have I sighed o'er thy sad early fate!'

FITZ S—R.

Calcutta, Feb. 10, 1836.

[*E. I. U. S. Journal.*



## SHIPWRECKS.

Pursuing this subject from our last, we give, as the result of a careful examination, the following extracts from the evidence before the Committee appointed to enquire into the causes of the increased number of shipwrecks, &c. It will be seen that the evidence of Mr. James Ballengale, which we have quoted so fully, is replete with information on the topic of shipping in all its ramifications. Both as a practical and theoretical authority, he seems to us well deserving the mercantile, or indeed general reader's attention. The extraordinary abuses he unveils, and his own propositions for their remedy, will be perused with considerable interest and benefit.

Mr James Ballengale, manager of a shipping company, and surveyor of shipping.—Has paid particular attention to the extent of shipwrecks, since 1830. Is of opinion that shipwrecks are never more numerous in proportion than they were 36 years ago. The accounts are principally taken from Lloyd's lists. Is practically acquainted with ship-building. Thinks the principal reason is, that merchant-vessels are much more slenderly, and less safely, built than they were at the former period. Attributes this change for the worse in building, to the abuse of marine insurances. The interest of the manufacturer and the person who supplies the materials, as well as of the revenue which derives benefit from the duty on them, is unfortunately added to that of the underwriters. Underwriters have a strong interest that sea-risk should be increased to the utmost extent, as it increases the number of their insurances, and the rates of them; hence their hostility and horror against 'safe-ships.' Has no hesitation in saying we shall never have safe merchant-ships whilst they can prevent it. Their plan has been to put 'proscriptive marks' on strong ships, being guided solely by age, which ships are often infinitely stronger and safer than the 'slop-built' new ones. The public are deluded by supposing that underwriters pay all losses out of their own pockets, whereas they must have first obtained it from the public; as if their gains did not exceed their losses they would become insolvent. Two insurance companies offered to pay Government 300,000*l.* each, for a joint-charter of monopoly. Considers the case proved that safe merchant vessels can be got. The number of deaths which occur, and of families rendered dependent, appears to be very little thought of. British ships, compared with foreign, are complained of as too dear. The remedy would be to



take the duty off timber. No sooner is this proposed than the shipowners complain of injury to their trade. The owner of a vessel, beyond a certain size, is compelled to part with it, because it is excluded from the "A. 1." of Lloyd's, and to supply its place by a new ship, which adds to the glut. Ships not in "A. 1." are excluded from great part of our carrying trade. Another purchases the old ship and forces it into employment, at a high rate of insurance. This is a further inroad on the means of the country; the shipowners do not want cheap and safe ships. Can prove an opposition, or indifference to the safety of merchant shipping, for nearly a century. Mungo Murray, the author of an excellent work on navigation, (1754,) and an estimable man, died a working shipwright at Deptford. Prejudice was raised against the plan of Mr. Jackson, chemist, (1757) of preparing the wood, that it would poison the workmen. Classification was established in 1760. In the year 1798, the committee of Lloyd's altered the plan, much for the worse. They stamped the character of a ship wholly by her size, and the place where she was built, without estimating her state, wear, or capability of repairs. All redress or inquiry, till 1824, was refused. Then a committee of inquiry was carried by a small majority.

A society had been established in 1793; Earl Stanhope, president, and his Majesty, patron. Cadogan Williams's plan was in 1814, Sir Robert Sepping's new principle, 1820; Watson's plan, a few years after. Thus, for nearly 100 years, nothing of real benefit has been effected. The present plan, "did it not proceed from design, would be thought the *ne plus ultra* of folly." The average loss in money by shipwrecks, annually, is as much as 1,000,000*l.*, and of British lives 2,000. Few survive when a ship is lost, and scarce any one can explain the cause, or has thought about it. Allows that in 1834, the condition of the ship was allowed to be taken into account, and that it might after a certain age, being repaired, be restored to "A 1," for a limited period only, also the port of its building is not taken into account. But considers this a mere blind, because no improvement has taken place in the construction of the timbers of the vessel. At present, by these rules in merchant vessels, every alternate timber only is framed or joined together; then there is a weak place on each side.— In the Royal Navy all the frames are bolted together; this should be done in merchantmen. A ship-builder is not compelled to build his ships according to the prescribed rules of the



committee : he builds them according to the rules, to get them in "A 1." If he builds them on a better principle he gains no credit by it. Has known Baltic timber to last longer than English, generally as long. Believes ships so built bear as high a price in the market. Considers that the extra duty laid on Baltic timber causes inferior timber to be used in shipping. Thinks if the duty were taken off, or equalized with American, Baltic timber would be much used in lieu of British.

No examination for captains and masters of merchantmen,—a footman might be put in. If the vessel were lost there might be a question by the insurance-office before the jury. The Baltic masters appear generally sober, and manage their ships with fewer men. In France there is an examination. The commanders and first mates of East India Company's ships were formerly examined. Approves of the present mode of measuring the tonnage of merchant-vessels. The last act has reduced the temptation to build vessels narrow and deep, to obviate increasing their nominal tonnage. Thinks the wrecked convict ships, if better constructed, would have held together long enough for the escape of the crew. The *La Pique*, from Canada, lay on the ground a number of hours, but arrived safe afterwards. A merchantman would not. A ship, "A 1," grounded at Kirkcaldy, with a light cargo ; the bulks and seams were strained and the water flowed in, after she had heeled over on her side. Filling in the timbers solid would have prevented this. We have not a well-built merchant-ship in Britain. The way to counteract sending out improper ships would be to increase public information. Believes the underwriters know nothing of the condition of ships, beyond the Lloyd's rating. They are content to lay on a premium covering all losses. The more vessels that are lost within the value of the premiums, the better for their business. The loss ultimately falls on the public, in the price of articles. The present system of a proscriptive mark on ships, after a certain age, discourages the expense of building them safe.

Mr. James Ballengale re-examined.—Exhibits a model of a small vessel called the *Lady Nelson*, 60, 24-24 tons, built by Admiral Shanck. Her timbers are filled close, and caulked so as to make a solid frame and light, before she was planked on the outside ; her beams are dovetailed into the clamps and timbers, and bolted through the clamps, which secure the beams without knees is a great saving, and leaves more room for the men and cargo ; she has likewise three sliding-keels, which



answer every expectation in keeping her weatherly: she is rigged as a brig, and has been found tight as a bottle. The sixth part additional will cover all expenses; she is less likely to pay. It is not the additional cost which would deter the shipowner, but the consideration of the insurance, because, if a ship goes on shore and is lost, he recovers the whole insurance, whereas, if she is only damaged, he is put to considerable expense, and the under-writer will only pay two-thirds. In these superior vessels they can neither obtain a higher freight, nor a lower rate of insurance. The public save their insurance on goods sent in such vessels. A shipowner will rather have an unsafe vessel which he wishes may go to pieces, that he may recover his insurance than a bad one, which will require constant repair. Does not exactly mean to criminate shipowners, but thinks there is greater inducement to them to get cheap vessels; they save freight and insurance, and if she is in danger, it is their interest she should go to pieces. In outward-bound goods the merchant pays the insurance on the freight in advance, and adds it to his charge. In homeward cargoes the shipowner buys the freight, but not till she arrives in port. Ships vary in the scantling of their timbers and thickness of their bottoms. There is no inducement to make them strong, but there is a certain thickness required by the rules of Lloyd's; this has been complained of. Has heard it said, that no respectable ship-builder would cut down his timber to the Lloyd's scantling. If a shipowner run a vessel without insuring, he will make it much thicker than the Lloyd's scale, but our merchant ships in Britain are built sufficiently strong. Has known accidents arise from insufficient strength of steamers, the outside bottom plank being two inches and a half thick, according to the Lloyd's scale, and the timbers not close enough, the vessel being propelled over the anchor, the fluke went through the plank, and had she not been run on she would soon have filled and sunk. If the timber were solid and well caulked before the plank, and the ceiling worked as a bottom and caulked, it would last 20 years. When the ceiling is not caulked it will not last more than six. The timbers of the *La Pique* are made solid up to light water-mark.

Mr. Ballengale again.—Exhibits a model.—When he had his models in London before, neither Lloyd's nor the other two societies would condescend to look at them. One society did, but would not report on them. The timbers being unconnected whenever the outside plank is pressed, there is nothing



to resist the water. Would put them close, and make the ceiling water-tight, and diagonally across the timbers. There would then be one substance, and the strength would be as the breadths of the timbers and planks multiplied by the squares of their oblengths, which would give ten times the safety, and for one-sixth more expense. Even if she lost her stem and keel together, she would not be lost. Would divide a steamer into three air-tight chambers. It would be equally desirable for merchantmen, but would interfere with the stowage. The Chinese junks are divided into water-tight compartments.

Mr. George Coleman.—18 years in the East India Company's Service, and 18 a teacher of navigation and nautical astronomy.—Has examined many captains; by asking them how they would act in certain situations, found they were very deficient in practical seamanship. Produces Lloyd's list of vessels "not since heard of," and supposed to be lost, from 1833 to 1834. The following is the result:—"Ninety five vessels of various sizes 'missing' in sixteen months; those marked with an asterisk (\*) in this list are 'supposed to be lost;' the number of days marked against each ship, in the two last columns, will show what probability there is of there ever being seen again; the others 'have never since been heard of.' Does not this appalling statement cry aloud that some system of examination should be adopted? At all events, would it not be a great protection to life and property? This is so self-evident and manifest that it cannot be denied—nor is it so, even among seamen themselves. This melancholy list only shows those vessels that are said to be "missing," that is, foundered or sunk, and, therefore, quite independent of those that are acknowledged to be dismasted, wrecked, or lost, which amount to many hundreds annually. In estimating the number of lives, with the value of property thus sacrificed, I have assumed the crew and passengers at the low average of 15 souls in each ship, whereby it appears that no less than 1,425 persons have perished; again, supposing the value of each ship and property on board at 8000*l.* we have the enormous sum of 760,000*l.* being sacrificed in 16 months," Has no doubt these foundered, for, had they been wrecked, some intelligence would have arrived. Believes the number, wrecked, and of which intelligence arrives, to be greater, and many ships are lost which were never on Lloyd's list. Thinks the general cause is the insufficiency of captains and officers; some are good seamen, but not practical navigators, and *vice versa*.

(To be continued.)



## Indian Intelligence.

### Calcutta.

SUPREME COURT, May 10, 1838.

(Concluded from No. 74, p. 73.)

*The Martine Case, — Judgment.*—

Mr. Justice Grant—Those who heard what fell from me when these causes were last before the court, will be prepared to expect that I should find great difficulty in concurring in any order to be made in them in the state and condition in which they at present stand,—and that they must necessarily have received my best attention. I cannot agree that the question here is one of mere regularity or irregularity which might be waived by the consent or acquiescence of parties, or that it turns upon technicalities. It concerns most materially the essential principles of equity and justice. It is no light matter to subject this unfortunate estate to further proceedings at an enormous expense;—it is no light matter when I see the array of counsel at the bar before me, to permit these causes to proceed under circumstances wherein no object can be answered but to add to the costs to which it has been already subjected when it is certain that no decree can be pronounced in these causes which will have any validity.—[The learned Judge then gave a brief abstract of the proceedings in the causes from the commencement in 1816, to the 26th of January last, when they were set down for hearing. As this detail of the proceedings is embodied in the judgment of the Chief Justice, we have not thought it necessary to insert it here.] Mr. Justice Grant continued—When they came on, the Advocate General, with whom was Mr. Cochrane, appeared for himself, as I understood, as informant in the first cause (entered as third,) and defendant in the third cause: Mr. Prinsep for Godinot, Mayor of Lyons, plaintiff in the second cause; Mr. Osborne and Mr. Grant for Christopher Martin and others, plaintiffs in the third cause, and defendants in the fourth or cross cause, brought by the executors against the plaintiff in the third cause.—There was no appearance for the two executors, Palmer and Deverine, sole defendants in the first and second causes, joint defendants with the Advocate General in the third cause, and sole plaintiffs in the fourth or cross cause.—Mr. John Palmer being known to have died, and to have been buried in Calcutta a few days before, and it being stated at the bar, and by the officers of

the court, that Deverine was believed to have gone to France out of the jurisdiction of the court, which is assumed to have been so on 23d February 1832, by the decretal order of that date, and that neither of them had appeared in these causes for many years, I confess being very much surprised at the course of proceeding proposed, I enquired of Mr. Advocate General whether he admitted that Palmer was dead, to which he answered that he did admit it. He nevertheless was prepared, as it seemed, to proceed in his information, and the learned counsel for each of the surviving parties as appeared, intimated no desire to stop the progress of a suit in which the two only defendants were, one of them dead, and the other out of the reach of the process of the court, having no attorney, so far as I can learn, representing him on the record. I declared my opinion that one of the two executors being out of the jurisdiction, and not appearing by his solicitor, and the Advocate General appearing not to deny this, and expressly admitting that the other executor, the other defendant is now dead, the suit could not proceed; that it had abated by the death of the sole executor within the jurisdiction, and could not proceed until it was revived. Upon which, my learned brother, the Chief Justice, said that there was no objection made for want of parties, and that the cause must proceed; and my other learned brother, Mr. Justice Malkin, said that he concurred, that, sitting here, he did not know that Palmer was dead.—The cause accordingly proceeded, and the counsel were heard, the Advocate General and Mr. Cochrane on the same side; but for whom they did or could appear, in the shape in which these causes stood, it was very difficult to say. The Advocate General, informant, expressly on behalf of the King, the Mayor and community of Lyons, Christopher Martin an executor, who had proved the will in the Prerogative Court of Canterbury, also a legatee, and other legatees, under the will, all residing in France, and the two executors, Palmer and Deverine, were the sole persons who were or ever had been parties to these causes. The corporation of the East India Company were not, and never had been parties; and the Advocate General could not appear for them, unless they had been admitted to appear gratis for their interest, or been made parties, of which



there is no trace in the proceedings. To my surprise, the Advocate General did not claim the lands of the testator on behalf of the Crown. I asked if the Advocate General appeared on behalf of the Crown, as informant, how it happened that he did not appear to claim these lands, on behalf of the Crown? and if he did not or could not appear on behalf of the Crown, how the information could remain on the record? To these questions I obtained no answer. The Advocate General proceeded to state that there was no alien law in India. Mr. Advocate General here interrupted Mr. Justice Grant—“My Lord, I could not have said there is no alien law in India. I have always contended the alien law does extend to India.” Mr. Justice Grant—Mr. Advocate General, I may have mistaken your words: but it is so in my notes, and they are usually pretty accurate. Of course, I took you only to mean with reference to the matter in hand. But the note I made was this:—“No alien law in India. If there is, then, not the Crown, but the East India Company to take advantage of it. Whole exercise of sovereignty is delegated. Escheats form a part.”—I may possibly have mistaken your expressions, but it is certain that the Advocate General then being the Advocate for the Crown, and the East India Company no parties in the suit, maintained with great zeal and ability that the testator's lands, if they did escheat, escheated not to the Crown but to the East India Company. Whether the Advocate General really appeared for the King, under the existing decree of the court, it is very difficult to say. I do not mean to say whether by law the Advocate General has or has not the right and duty to appear for the King in a suit of this nature: or whether this is a question of difficulty or not; I think the court, by the decree of 23d February 1832, has decreed that he does not; i. e., I presume that he cannot, though how it was possible so to decree in a cause, the basis and foundation of which is nothing else than an information filed by the Advocate General, for and on behalf of his Majesty King George the Third, at and by the relation of John Martin Wilkins, which has been going on ever since 24th June 1816, in which there have been many decretal orders which stand on the record unrescinded: and which, notwithstanding what was so decreed in February 1832, was not stopped by the court for want of parties, but under that decree, in pursuance of orders made by it, has been going on

ever since, and is now proceeding as if all were quite regular, it is certainly very difficult to understand. But it is equally difficult to put upon the terms of this decretal order any other construction.—The decree distinguishes between the lands in and out of Calcutta, within the provinces subject to the presidency of Fort William. As to the first, it says, that the testator being an alien, they could not pass by his will. As to the second, that there were not the proper parties nor sufficient evidence to enable the court to determine whether they could pass by the will. As to evidence, it is difficult to see what other evidence was wanting, it being ascertained according to what the court has decreed, that the testator was an alien, and that the lands were situated, in what is called the *Mofussil*. As to want of parties, the decree explains its meaning. At least, I think, it contains sufficient to show what was meant in the next sentence, giving as a reason for what it is about to do—“inasmuch as the Attorney General of our Lord the King, is not resident within the jurisdiction of this court, and there is no party to these suits who has made any claim to any of the said lands, &c., on the part and behalf of the Crown,”—and then it orders that a receiver be appointed, &c. I do not say that this is very explicit, for it seems to imply that some other party to these suits, not being the Attorney General, might have made a claim on the part of the Crown, which, I think, can only have been meant of the Advocate General. But then, if the Advocate General has merely neglected his duty, what has the non-residence of the Attorney General within the jurisdiction, to do with the matter? There is nothing in the 53d Geo. 3, c. 155, giving the Advocate General such powers as he possesses, where the rights of the Crown are concerned, which makes them in any way dependent upon the Attorney General. What the court might be bound to do in discharge of its constant duty to the Crown, upon any such case of breach of his duty to the Crown, committed by the Advocate General, I give no opinion. It were very unbecoming in me to suppose such a case, and as long as the office is in the hands that now hold it, I am very sure, it is impossible that it can intentionally happen; but if the case were to happen, if the Advocate General has the right and duty under the statute, to appear for the Crown, the objection would not be for want of parties; but that the Crown, a party, was betrayed by its officer.—The decree, however, says



that there are not the proper parties, and it seems to intimate that if the Attorney General were in Calcutta, the defect might be cured. I must, therefore, take the decree of February 1832, as purporting that the Advocate General either does not, or cannot, represent the interests of the Crown upon this occasion. I do not say, whether this finding of the court is right or wrong, but I find it, as I understand this decree, so decreed,—and this is a decree upon further directions. I do not know how this can be reversed, if it be wrong, except upon a re-hearing, and until this be done, I take it that nothing which is against the foundation of that decree can be done. Then I find it decreed that the interests of the Crown are most materially concerned in the causes before the court. I am aware that this decretal order of February, 1832, it is very difficult to reconcile with the decretal order of 2d November, 1816, which was pronounced expressly in the cause, *Strettell Advocate General, for and on behalf of his Majesty King George the Third, at the relation of John Martin Wickens v. Palmer and Deverine*, before either of the bills in the two other original causes was filed,—and that of 16th August, 1819, which consolidates this cause with the other two, and expressly recognizes the account taking in it between the Advocate General, as such informant on behalf of the King, and the executors, and makes the parties to the other suits, parties to this account, they consenting.—These decrees are express judicial recognitions of the right and duty of the Advocate General, appointed by the East India Company, to appear in this cause, for and on behalf of the King. And whether the judgments be, in this respect, right or wrong, they stand upon the record unaltered and unreversed.—Then comes upon the 23d Feb., 1832, a decretal order which, notwithstanding this, finds that the said Advocate General cannot and does not appear in this cause, for and on behalf of the King. I cannot reconcile these decrees, which, most certainly standing on the same record in the same cause, are utterly repugnant, and cannot stand together. But I do not know any way by which any of them may be reversed or altered, except upon a re-hearing. There is no way that I am acquainted with, of altering the record, except recently for errors of the officer in engrossing or in miscasting, but upon re-hearing, or, if the decree is enrolled, upon bill of review. And how am I to know when the court has decreed one thing, and so recorded its decree, in

1816, and 1819, and has decreed the direct reverse, and so recorded its decree in 1832, which is the decree that ought to be rescinded and expunged from the record; unless upon rehearing the cause? And one main ground for a bill of review, is error apparent upon the record. Although, therefore, I think, this decree of 1832, in this particular, could not be regularly or validly pronounced as being repugnant to former decrees, in the cause standing unreversed, I do not think there is any way in which this can be declared upon motion or petition, or *ex propria motu* of the Judge, or otherwise than upon re-hearing, or bill of review or appeal. But there it stands a decree, that there are not the proper parties to the causes, that there is not before the court the proper officer to represent and protect the interests of the Crown, and that these are largely concerned. What then ought to follow?—that the causes do stand over. It may have been right enough with one executor out of the jurisdiction, and the other adjudged insolvent, to appoint a receiver, and to have the money paid into court for the safety of the property, there to wait till the proper parties should be before the court, and till upon a re-hearing the decrees finding that they were, should be reversed if they ought to be reversed. But I think it much to be lamented that the court did not stop here, but should have proceeded to refer it to the Master to make enquiries which, as I think, could not but be nugatory,—and to frame a report which, in my opinion, must be waste paper upon the very shewing of its own decree, and to make decrees upon sundry matters not referred to the Master, which for the same reason, as it appears to me, could not be otherwise than utterly irregular, and without any possible legal benefit to any one.—For the Mayor and community of Lyons, I have said that Mr. Prinsep appeared. For Christopher Martin and the other legatees, and some of the next of kin of the testators, Mr. Osborne and Mr. Grant appeared. For the two executors, the most essentially necessary parties of any, no one at all appeared, and for the reason which I have mentioned, that one of them was out of the jurisdiction, and had not appeared in these causes for many years, and that the other was dead. But it is now admitted that Mr. Deverine, who had been living out of the jurisdiction, is dead also. [The Registrar said, I believe, my Lord, he died about the year 1830.] Administration



has been applied for, and we have granted it to the nearest of kin of Mr. Palmer, the other executor. I was of opinion that the admission, at the bar, of the counsel for the plaintiff, of the death of a necessary defendant, was sufficient to compel the court to hold that the cause had abated, and I have never heard or read of any evidence being gone into, upon the subject, after such admission, nor can I conceive a case in which any thing more could be necessary than the information of the counsel or solicitors, unless some extraordinary mystery hung over an event usually notorious to all the surviving parties, and the neighbourhood where the deceased parties have resided. If the suit has abated, the court has no longer jurisdiction in that suit, till it is revived by supplying the defect from want of parties, and it is *pars judicis* to see that he has jurisdiction. But now we are in a different situation. We have it upon the records of our court that Palmer is dead, and administration granted of his effects.—Here then we are in this position. The Advocate General, whose predecessor filed the first bill in these consolidated causes, in the year 1816, on the part of the Crown, as informant; and who now desires to appear in virtue of his office and of the statute, in that character; the King being a necessary party, both as *parens patriæ*, and as having a patrimonial interest in right of his Crown, has been decreed by the court not to represent the Crown by virtue of his office of Advocate General in these causes, and that there is nobody here who does or can appear on the part of the King. The Advocate General, therefore, is out of Court. We have no informant plaintiff in the first cause, and, according to this, never had. The first cause, therefore, never had any legitimate existence. It has been decreed to have been a suppositious birth. But however this may be, it certainly has, according to this decree, no legitimate existence now. In the second cause there were only two defendants, the two executors, and they are both dead, and the cause has not been revived against their representatives. That cause therefore has totally abated, and no proceedings can be had in that. In the third cause, the Advocate General has been decreed to have no *persona standi in judicio*, and the two executors are dead, so that there are no defendants in that cause. The fourth cause is a cross cause brought by the said two executors, the only plaintiffs, who, as I have said, are both dead, besides which, there has

been no replication ever filed in that cause, so that this cause has never been in a state in which any order could be made.—The three first form the consolidated causes, in which it is proposed, we should decree, i. e., in the first without any plaintiff or any defendant, and in the other two, without any defendant. This is not a question of regularity or irregularity, or of particular persons, whether, by the rules of the court, they are or are not necessary parties. Upon such questions if I had the misfortune to differ from the majority of the court, I should feel myself bound by the decision of the court, and it would be my duty, if the cause went on, to give my best attention and assistance to the decision of it. But in this case, where, it appears to me, that the court has no jurisdiction, not because it has not some of all the necessary parties before it, about which there may sometimes be a difference of opinion, but that in one cause there are no parties according to what has been decreed, and in the two others there are plaintiffs but no defendant; and that, therefore, there is in truth no cause at all before the court, for there can be no cause nor judicial proceeding without two parties, plaintiff and defendant, and a Judge; and where there are not two parties there can be no Judge,—being, in this case, of this opinion, it follows, that I ought not to take any further part in this proceeding.—I have expressed no opinion upon the question whether the Advocate General does or does not, here, under the statute, represent the King to the same extent and in the same manner as the Attorney General in England. It is not necessary to decide that in these causes till the question shall be moved upon a re-hearing, when the suit is revived, if the parties, when there shall be parties to it, are so advised; but I think it proper that I should state one thing, upon which I have no doubt, namely, that, supposing the Advocate General of the East India Company to have that representation to its fullest extent, he cannot, at the same time, represent or be counsel for both the King and the Company, where they have conflicting interests. No counsel can appear for conflicting parties. He must make his election. If his duty to the Company is paramount to that of the King—then he must elect accordingly, and the cause must stand over till some one shall be duly appointed, who may appear for the King. If, on the contrary, he appears for the King, with the leave of the Company, and the Company have an essential



interest in the suit, it must stand over till the Company shall be made a party and appoint some one else as their counsel.—Whether, after appearing here upon the record as informant on the part of the Crown, supposing the Advocate General to be authorised so to do, he can withdraw himself from that character, in order to appear for the Company where their interests conflict, is another question. But I am very clear that in this case the escheat, if it falls at all, must fall to the King, unless there are peculiar circumstances arising out of the grant made to the Company of the Government of India, which vest it in the Company instead of the Crown. He cannot appear on the part and behalf of the Crown to argue against the interests of the Crown in favour of those of the Company, under this grant. In this case, the corporation, having the local and delegated Government, and pretending to rights limiting or superseding the prerogative, by virtue of a grant from the King in Parliament, or otherwise; and, by virtue of such rights, pretending to an interest in the estate of the testator, the administration of which was under adjudication in these causes before they abated, ought to have been a party, and to have appeared by their own counsel, totally distinct from the counsel for the Crown, to contest with the Crown its claims against the Crown? But it never can be contended that its Advocate General, or any other person, on its behalf, can take upon himself to decide whether he shall claim a right, which is in dispute, for the King, or whether he shall not rather claim it for the Company. But where the King and the Company have both interests to be heard in any suit, and their interests, as in the present case, are conflicting, they must both be made parties and contest their rights in the King's Court, as the King and any other corporation would contest them in any other suit. For there is nothing more certain than that the corporation of the East India Company under its delegated powers, whether of Government, or, now, of Legislation, cannot through any of its officers, or by any means whatever, assume to itself any part, the most minute, of the prerogative of the Crown, beyond what has been specially granted to it, or in any way limit or infringe upon that prerogative, which resides inalienably, though capable of being temporarily communicated, in the person of the King, in trust for the preservation of the rights and liberties of his people, the adjudicating upon which prerogative, in

all cases, and the giving effect to it according to law, he hath wholly and exclusively devolved upon Judges commissioned directly by himself, who are, therefore, bound to see in all cases that come before them, that the rights of the prerogative whether patrimonial or other, that may come into question in judgment, are duly advocated by persons to whom this duty has been or may be assigned by the King. And he is very ignorant of the laws and constitution of England, who thinks that the least part of the ancient and legal prerogative of the Crown can be invaded with safety to the liberty of the subject.—I think it right also to say that the decretal order of 23d Feb., 1832, is one in which I cannot concur; that I think it a decretal order to which it was and is impossible to give effect consistently, in my opinion, with the best established and best known rules of a Court of Equity; that there is hardly any part of it in which I can agree except that which says that the report of the late master is exceptionable, though even with this it would be difficult, it having been confirmed, as I see stated, by consent, to deal, unless by the like consent, and that if the objection, arising from there being at present no parties to the suit, but such as are all on one side, there being nobody to defend the estate itself, or against whom a decree can be made, nor that will assert the rights of the Crown, nor that has any right to assert the rights of the Company, in whose favour no decree could be made in the shape the causes had acquired before they abated: that if these objections were removed, I could not concur in any order tending to give effect to this decretal order, but, in my opinion, before another step can be taken consistently with Equity, the causes being first rendered complete by the introduction of the necessary parties, must be opened up by a general petition of re-hearing, and being carefully examined from the beginning upon the established rules of Courts of Equity, freed from the errors and defects, which, I am sorry to say, have infected and disgraced them from the decretal order of 2d December 1822, downwards. Being of opinion that the court cannot lawfully or equitably take any proceedings in these causes in their present state, it is unnecessary that I should observe upon the particulars of the decretal order of Feb. 1832, or of the Master's Report. Indeed, it would be inconsistent with my opinion—that there is no cause at present before me—to do so.



I have only to request of the Registrar, if he marks my presence at the causes being called on, that he will note that I am no party to the order which is about to be made.—It seems to me strange to cite authorities to justify my declaration of the law in matters which I consider so plain and well established as the following propositions:—1. That the executor is a necessary party to a suit which concerns the administration of his testator's estate, and that no such suit can proceed without him. For this, I refer to 1. Eq. ca. ab. 73 and the modern case of *Lowe v. Farley*, 2. Mad. 101, and cases cited in both.—2d. That, where a suit is abated, no consent of parties can enable the court to perform any further act, whether by process, order, or decree, except to pay money out of court, or do some merely collateral thing, until the suit is revived. For this, I refer to *Wharam v. Broughton*, 1 Ves. Senr. 181 and *Beard v. E. Powes* 2 Ves. Senr. 399.—3d. That no decretal order can be reversed except upon re-hearing, bill of review, or appeal, and that nothing can be done which is against the foundations of such decree until it is reversed. For this I refer to 15 Ves. 75 1 Ves. Jun. 93, and the *Prac. Reg.* 156, Wy. Ed. I refer to the original book which is a book of authority.—But 4th. That although "where a decree signed and enrolled, is capable of being executed by the ordinary process of the court, whatever its iniquity may be, the court, till it is reversed, is bound to assist it with its process, that it may have its due effect by ordinary forms—for in this the conscience of the present Judge is not concerned, because, it is not his act, but rather his sufferance," and it is truly a merely ministerial act for which he is not responsible; yet that "where even a decree signed and enrolled requires a further judicial act, as a new decree to have the execution of such former decree," and much more must this be so where it is a decretal order, remaining merely interlocutory, which requires a further decree to carry it into execution, "this obligeth the court to examine the grounds of the first decree before they make the same decree again, and there this court desireth to be excused in making it its own act, to build upon such ill foundations, and charging its own conscience with promoting an apparent injustice;" and for this, I refer to *Lawrence v. Berny* 2 Rep. in Chy. 127.

*The Decree.*—Decree and declare that the lands and houses situate in Calcutta, which the testator Major General

Claude Martin possessed at the time of his decease, consist (besides the said house situate at Chaudpal Ghaut, decreed by decree of December, 1822, to be personal property) of the following, &c.—Decree and declare that inasmuch as there is no party to these suits who hath made any claim to the said lands or houses on behalf of the Crown, that the receiver appointed by the Court in these causes shall continue in possession and to receive the rents thereof, and from time to time pay the same into the hands of the Accountant General and Sub-Treasurer of the Honorable East India Company, with the privity of the Accountant General of this Court to the credit of a separate account in these causes to be opened and headed as hereinafter directed.—Decree and declare that the sum of Sa. Rs. 4,74,154.-11-6, has arisen from the rents of the said two houses situate in Calcutta, received from the time of the death of the said testator up to the 29th Feb. 1832, and that the said sum, together with the interest and receipts since the date of the said report ought to be transferred to the head of a separate and distinct account, entitled *an account of the rents and profits of houses situate within Calcutta subject to a claim of the Crown*, and that the said sum, and all future rents and profits be paid in by the said receiver, and do remain under the said head of account in these causes to abide any claim that may be hereafter made on behalf of the Crown.—Declare that the houses, lands, and immoveable property of the testator, situate without the boundaries of Calcutta, but within the limits of the Presidency of Fort William in Bengal, as such limits stood in 1832, and which were held by the testator at the time of his death, did not pass by his will, and that none of such houses, &c. have been since his death sold, that the receiver thereof appointed in these causes was at the date of the Decretal Order of 23d Feb. 1832, and is now in possession thereof, and in receipt of the rents and profits thereof.—Declare that the said last mentioned houses and lands consist of, and are situated as follows, viz. &c.—Decree and declare that the receiver of the last mentioned houses &c., do continue in possession, and to receive the rents thereof, and from time to time to pay the same into the hands of the Accountant General and Sub-Treasurer of the East India Company, with the privity of the Accountant General of this Court, to the credit of a separate account to be opened in these causes and



headed as hereinafter next directed.—Decree and declare that the sum of Sa. Rs. 53,558-9-3, has arisen from the rents of the said last-mentioned houses and lands, and that the same ought to be carried to the credit of a separate account to be opened in these causes, entitled, *Account of the rents and profits of the real and immoveable property of Maj.-Genl. Martin, situate without the boundaries of Calcutta*, and within the Presidency of Fort William, that the same, together with all future payments, to the credit of the said accounts and accumulations of interest thereon do remain to such credit to abide future claims.—Decree and order that the cause wherein Ralph Uvedale, Esq. Clerk of the Crown, at the relation of Thomas Christenson was informant, and John Palmer, John Caulfield, and Alexander Aberdeen, executors of the last will and testament of Claude Martin deceased, were defendants, and which has been set down for hearing and further directions, together with these causes, pursuant to an order of Court bearing date the 21st day of January, 1836, on the motion of John Pearson, Esq. Advocate General for the East India Company, be consolidated with these causes.—Decree and order that the funds separately entitled, *Genl. Claude Martin's Fund for the Relief of the Poor of Lucknow, Chander-nagore, and Calcutta*, and *General Martin's Fund for the Release and Relief of Prisoners*, and standing to the credit of the last mentioned cause, be continued under such separate titles, but respectively transferred with such separate titles to the causes hereby consolidated.—Decree and declare that the charity for the poor of Calcutta should be dispensed and governed in the manner contained in the Schedule marked C, and annexed to the Report of Thomas Scott, Esq. the former Master of this Court, made and filed on the 11th day of Nov. 1802, that is to say—1st, That this charity shall be dispensed on the 2d day of every month, commencing with May, in the year of our Lord 1803.—2d. That the head Chaplain of Calcutta and the Church Wardens, the Accountant General of the Supreme Court, and the Registrar, shall be the distributors.—3d. That the charity shall be distributed in small sums to each individual, consistently with the intention of the testator, and proportion to the more pressing wants of the person receiving the aid.—4th. That the charity shall be distributed generally, as far as it will extend to all necessitous persons, inhabitants of Cal-

cutta; regard being chiefly had to character, conduct, and age, and without having any relation to distinctions, whether of country or birth, or any other, except that a preference is to be given to the poor of the Christian, Mussulman, or Hindoo religions, in conformity with the will of the testator.—Decree and declare that the rules and regulations under and by which the charity for the release of poor debtors confined in the Jail of Calcutta, shall be dispensed and governed, are mentioned in the Schedule marked A, and annexed to the Report of Thomas Scott, Esq., the former Master of this Court, and made and filed on the 11th day of November, 1802; that is to say—1st. That the fund shall be dispensed annually on the 13th of September, the anniversary of the testator's death.—2d. That a preference shall be given to distressed officers and soldiers, in conformity with the will of the testator.—3d. That no person who has once reaped the benefit of this fund, shall ever again be released under it.—4th. That no person shall be released who has not been in prison more than nine months; and who cannot, if required, make affidavit that his confinement has not been collusive, and with the view of availing himself of this donation.—5th. That the person to be released, must, if required so to do, surrender upon Oath, for the benefit of his creditors, all his property of what nature or kind soever, save and except his wearing apparel, bedding, and the tools of his trade.—6th. That no person of known bad character shall be released. Testimonies in favor of character to be produced by the prisoner, if required.—7th. That when debts are equal, or nearly so, the prisoner who has been longest confined, whose family is largest, or whose trade or business is most likely to suffer the greater injury, to have the preference next after poor officers and soldiers.—8th. That the distributors of this charity be the Accountant General of the Supreme Court, the Sheriff, and the Prothonotary.—9th. That the names of prisoners, who have been released, to be advertised every year immediately after the distribution of the fund.—Decree and declare that the charity for the relief of poor debtors in the Jail of Calcutta, shall be dispensed and governed in the manner mentioned in the Schedule annexed to the Report of Thomas Scott, Esq., the former Master of this Court, and marked B, and which said Report was made and filed on the 11th day of November, 1802, that is to



say—1st. That this charity shall be dispensed annually on the anniversary of testator's death.—2d. That the Accountant General and Sheriff shall be the dispensers.—3d. That no prisoner who is not of fair character, (of which, if required, he is to produce testimonial,) to be relieved.—4th. That the sum to be dispensed to any prisoner not in any case to exceed 50 rupees, but the amount to each prisoner shall be regulated by his rank in life, age, family, and necessities. 5th. That the surplus of each year's fund (should any remain) shall be carried to the credit of the following distribution.—

Decree and declare that the funds for the said charity at Chandernagore, shall, in lieu of the manner mentioned in the second Report, made by E. Lloyd, Master, on 24th May, in the year 1804, which mode of distribution has become unsuitable, and cannot now be carried into effect, from the change of the Government of that settlement, be dispensed in the manner hereinafter next mentioned; that is to say—that the Accountant General and sub-Treasurer of the East India Company, with the privity of, &c., shall pay half-yearly the interest of this bequest to the person who shall have the office of the Juge de Paix and Lieutenant de Police of Chandernagore, to be by him applied and paid pursuant to the intentions of the said testator, and the Report of the said Master of the 24th May, 1804, which, except in so far as varied and altered by this decree, is confirmed.—Decree and declare accordingly, that the said Juge de Paix, Lieutenant de Police, shall receive and distribute the said charity in manner following, that is to say—That out of the half-yearly interest of this bequest, the person who shall hold the office of Juge de Paix and Lieutenant de Police be at liberty to appropriate monthly such part thereof in such sums and proportions as he may think proper, by a regular distribution, to be made on or before the sixth day in every month, to such necessitous persons, either Europeans or reputed descendants of Europeans, or Christian inhabitants of Chandernagore, as shall be found to be the most in want of relief.—2d. That he do appropriate such further part of the said half-yearly interest as he shall deem necessary, and in such sums and proportions as he shall think fit, provided no individual receives more than the sum specified hereafter for and towards the relief of such indigent natives, inhabitants of Chandernagore, of either the Mussulman or Hindoo religions, as shall be found to be the

most in want of relief. That, for the faithful and equitable management of the foregoing, the Judge de Paix and Lieutenant de Police be appointed as trustee to receive and distribute this charity. That the half yearly interest of this bequest shall be paid by the said Accountant-General and Sub-Treasurer of the East India Company, with the like privity as aforesaid, to the said Juge de Paix and Lieutenant de Police, upon his granting a receipt for the same, and engaging to give a true account of the distribution of the said charity.—

That the said Juge de Paix and Lieutenant de Police do fix and alter as occasion may require, the list of the several distributions, provided that he shall not have power to give to anyone European, more than 16 sicca rupees per month, or to any native more than eight sicca rupees per month; and that he do keep regular monthly accounts of the several disbursements relating to this bequest, and once in every year transmit the same, or a copy thereof, to the Accountant-General of this Hon: Court, for the purpose of being filed in the said Court, that all the proceedings of the said Juge de Paix and Lieutenant de Police be entered in a book to be kept for that purpose.—Decree and order that Sa. Rs. 30,825 be transferred from the fund for the relief of the poor of Calcutta, Chandernagore, and Lucknow, to the credit of a separate head of account in these consolidated causes, to be entitled *Fund for the payment of the sum of Sa. Rs. 1,200, annually, to the Distributors of General Claude Martin's Charity to the Poor of Calcutta, Chandernagore, and Lucknow, pursuant to the Will.*

—Decree and order that a further sum of Sa. Rs. 9,027-2-3, which will remain as a balance after leaving 1,50,000 to the credit of, and fully providing for, the funds for the relief of the poor of Calcutta, Chandernagore, and Lucknow, pursuant to the Master's Report of the 21st Nov, 1835, be transferred to the credit of the said fund, entitled fund for the release of prisoners; and that a further sum of 28,775-6-3 be transferred from the fund now standing to the general credit of these causes, so as to make altogether a sum of 37,810-8-6, transferable and transferred in order to complete the said fund for the release of the prisoners in Calcutta to Sa. Rs. 1,54,125, so that the same may yield 6,000 annually at 40 per cent. after paying the Court and Government Agent's charges thereon.—Decree and order that the last mentioned fund, entitled, fund for the



release of prisoners, be divided into two, and a new fund and head of account opened in these consolidated causes, to be entitled, *General Martin's Fund for the Relief of Prisoners*, and the sum of Sa. Rs. 25,678, transferred thereto from the said fund, entitled *General Martin's fund for the release of prisoners*, so as to leave the principal of the said last mentioned fund 1,28,450. — Decree and declare that a sum of 1,75,925-9, has been spent and laid out towards completing the house, called *Constantia House*, out of the sum of 2,00,000, which the said testator, by the 33d article of his will, calculated might be required for that purpose, and that the balance of Sa. Rs. 21,074-7, ought now to be set apart from the funds standing to the general credit of these causes, and carried to the head of a separate account in these consolidated causes, entitled, *Building and Repairing Fund of Constantia House*, and placed at the disposal of the Governor General in Council, pursuant to the decree of 23d February, 1832; and that in case the same, and the funds hereinafter mentioned, as required, for the repairs of the said house, should not be sufficient for that purpose, that such further sum as shall be necessary be paid out of the fund to the general credit of these causes, on the application of the Advocate General of the East India Company on behalf of the Governor General in Council. — Decree and declare that from and out of the funds now standing to the general credit of these causes, a further sum of Sicca Rupees 54,800, ought to be transferred to the said separate head of account and fund, entitled, fund for repairing and finishing *Constantia House*, and paid to the Governor General in Council, or some person by him duly authorised to receive the same, in order that the works may be executed by Maj. C. J. C. Davidson, Major of Engineers in the East India Company's service, or such person as the Governor General in Council shall appoint. — Decree and declare that Jean Jacques Deverinne, junior, is a fit and proper person, due regard had to the wishes of the testator, to fill the office of Superintendent of the said building and premises, and that, in case of his death, removal for misconduct, or resignation, the Governor General in Council ought to appoint all future Superintendents, with due regard to the wishes of the said testator, as signified in his will, and that the care and superintendence of the said buildings, can, most conveniently, and with due observance of the wishes of the

said testator, be exercised by the Governor General in Council. — Decree and declare that the sum 2,96,077-12 6, will be a sufficient sum to satisfy the principal and interest of the bequest of Sicca Rupees 1,00,000, for the establishment of the College at Lucknow, directed by the 33d Article of the testator's will to be established, and that the same ought to be set apart from the funds now standing to the general credit of these causes, and carried to a separate head of account, entitled, *Fund for the Establishment of General Martin's College and School at Lucknow*, and the interest of the said fund paid over to the Governor General in Council, or such person as he may appoint to receive and apply the same for the purpose aforesaid. — Decree and declare that no other sum of money has been expended under the directions or authority of any Accountant-General and Master of this Court, in the necessary care and superintendence of the said tomb and house at *Constantia*, except the sum next mentioned, and that the sum of 8,218-4-1, has been duly expended under the directions and authority of George Money, Esq., former Master, and has been duly paid to the representative of Jean Jacques Deverinne, pursuant to the Master's separate Report of the 16th October, 1833. — Decree and declare that it appeared pursuant to a separate Report of the Master, made and filed on the 14th July, 1835, and afterwards amended on allowance of exceptions, and filed on the 15th Aug., 1835, and duly confirmed, that no part of the sum of 311,300 could then be transferred from the fund set apart for payment of monthly pensions pursuant to the will of the testator back to the general credit of these causes. — Declare that the parties now entitled to receive monthly pensions are—

	Monthly.			Yearly.		
Sally Begum	200	0	0	150	0	0
Peggy Begum	100	0	0	150	0	0
Hadjee Begum	40	0	0	100	0	0
Pauna - - -	30	0	0	100	0	0
Gomani - - -	30	0	0	100	0	0
Zeenut - - -	10	0	0	20	0	0
Zeenut - - -	4	0	0	20	0	0
Miraza - - -	4	0	0	20	0	0
Aneesced - - -	8	0	0	20	0	0
Dedar Bux - - -	8	0	0	20	0	0
Amdow - - -	8	0	0	20	0	0
Allee Ool Azeem, the eldest son of Matchoo Darogah	30-20			50	0	0
Nubbee Bux, the eldest son of Chotta Kaddeer				50	0	0
	30-20					



Servants or Guards, under  
18th article of Testator's

Will - - - - - 60 0 0,  
and that the annual sum necessary to pay and satisfy the same is sicca rupees 7,941, pursuant to the said Report.—Decree and order by and with the assent of the Advocate General of the East India Company, on behalf of the Governor General, that the Accountant General of this court do monthly issue a certificate, authorising the Accountant General and Sub Treasurer of the East India Company to pay to the Resident for the time being of the East India Company's Government at Lucknow, the monthly pensions due to the pensioners at Lucknow, pursuant to will of the said testator.—Decree and declare that the Accountant-General of this Court shall be authorised to stop the payment of the said monthly pensions until further orders, unless a half-yearly memorandum or account of the sums paid shall be furnished to him by the said Resident.—Further decree and declare that the Accountant General of this Court for the time being on receiving intimation thereof from the Resident, or other good and credible information, shall be authorised to notify to the Court, as the same may occur, the deaths of the said pensioners at Lucknow, and thereupon to apply for and obtain an order authorising the transfer from the separate fund for the payment of pensioners at Lucknow, created by and under an order duly confirming the said amended separate Report of the Master, made and filed on the 15th Aug., 1835, back again to the fund at the general credit of these causes of so much as was required to pay the pension of the deceased person.—Decree and declare that Sa. Rs. 2,83,077, will form a sufficient fund to set apart to pay the annual sum of Sa. Rs. 2,580, for divers servants employed in and about the said house, &c., and also the annual sum of Sa. Rs. 6,960, pursuant to the same 32d Article, for other persons retained and employed in and about the said house and tomb; and also the annual sum of Sa. Rs. 1,200, in the same 32d Article, directed to be paid to an European Superintendent of the whole establishment of the said house; and also the sum of Sa. Rs. 280, directed by the said 32d Article, to be paid annually to eight Harkarus, the said sums amounting altogether to Sa. Rs. 12,265 annually, and that in lieu of the said sum of Sa. Rs. 3,00,000, directed by the said decretal order of 23d February, 1832, to be set apart for that purpose, only the said sum of Sa. Rs. 2,83,077

(the annuities or pensions of 720 annually, and 420 annually, to two persons, for taking care of the said tomb, house, and having been otherwise provided for and included, pursuant to the said separate amended Report, filed 15th August, 1835, in the fund for the payment of pensioners at Lucknow) ought to be set apart for the payment of salaries and wages paid to a Supervisor and servants employed in and about the said house, tomb, buildings, gardens, and establishment of Constantia House.—Decree and order that the said sum of Sa. Rs. 2,83,077, be carried to a separate head of account and credit in these causes, to be entitled, *Fund for the Payment of the Establishment at Constantia, pursuant to the 32d Article of General Martin's Will*.—Declare that pursuant to Master's Report of 24th Nov. 1835, it appears that in case all the said several sums herein before-mentioned and decreed were carried to separate credits, and set apart from the general fund to the credit of these causes, the residue of the said fund, to the general credit of these causes, would only have amounted to Sa. Rs. 8,53,554, at the date of the said Report, and that it appears by certificate of Accountant-General, the same, together with the accumulations of interest, now only amount to 904,144-12-5.—Consequently declare, that, pursuant to the will of the said testator, and decree of 1832, the same is not yet divisible.—Order and decree that the costs of all parties to be taxed as between attorney and client, up to and including this decree, do and shall be paid out of the funds standing to the general credit of these causes, and that the Accountant-General and Sub-Treasurer of the East India Company, with the privy of, &c., shall be at liberty to sell Company's paper for such purpose, if necessary.—Decree and declare that the several bills of complaints, filed in these causes, be severally retained, and that all parties are at liberty to apply to this Court from time to time, as they may be advised.

August 22.—*The "Sumatra" Case*.—John Lawrence, Agapito de los Reis, Reheimio Antonio, Mariano Francisco, Clementi Marco, and Augustin Moni, stood indicted for piracy, on the 17th of June, on the high seas, 400 miles from Sumatra. The prisoners pleaded not guilty. Counsel for the prosecution,—the Advocate General and Mr. Cochrane. For Agapito de los Reis, Mr. Leith. The Advocate General stated the case for the prosecution. Boniface Budewell —I was steward on board the "Sumatra,"



Captain Harmony, at Calcutta, in March last. We sailed hence on a date which I cannot swear to, for Batavia. Mr. Roos was the mate, the gunner was Agapito de los Reis, the prisoner at the bar. I know Padang; we arrived at that place and sailed. The prisoners formed part of the crew. From Padang I heard we were bound to Pondicherry. [Mr. Leith objects to the answer. It is not evidence; the log-book ought to be produced.] About nine or ten days after we had left Padang, on the 17th July, on the high seas, a quarrel commenced about ten o'clock in the morning between the Captain and the boys in the cuddy: The Captain came out of the cuddy, and cried, "Gunner, bring the key, you and I are done." He had smelt liquor in the cabin. This was said in English. I was picking oakum on the left-hand side. One ordered me below to tar a rope. The gunner took the sun's altitude and came below. In the evening, I was laying down on the fore-castle, at half past seven o'clock, when the gunner came forward, and went below to where the seacunnies were; he came up with two of them following.—These were Rehemio and Mariano. Moni came forward. Mariano was sitting on the bitts; Rehemio was on the fore-castle; the former was crying. I asked the latter what was to be done? He answered, "Oh, God, we'll be finished!" I asked, "what will be finished?" He said, "you will see." The ship was coming to. Rehemio, Mariano, and Moni were on deck; the gunner was making signs to Marco at the wheel. He had a sword behind him in his right hand. The sails shook, and the Captain came out, and seeing the sails, cried, "Hallo, gunner, where are you going to?" He went to the binnacle, and was looking at the compass, when the gunner cut him with Marco's sword, either on the shoulder or on the head: I cannot say whether the sword was broke or flew away from his hand. The gunner took his knife from his waist, and he stabbed the Captain. They both rolled down the poop-ladder. The Captain got up and ran into the cuddy. I saw the mate come out. Moni made a stab, but I do not know who received it. The gunner went into the cuddy, and the mate went inside the Captain's cabin, and shut the door. The gunner then took hold of the Captain behind, and one of them pulled the sword from the rack. The gunner dragged the Captain out of the cuddy, threw him down, and cut him twice with the sword, saying, "You are a very good

Captain, but I am commander—Hurrah!" Every one answered, "Hurrah!" I heard the sound, but I cannot mention particularly from whom the shout proceeded. I saw Mariano and John Lawrence below, near the pantry, close to the poop-ladder the gunner put his sword on the cuddy-table, pulled the muskets from the rack, and cried out, "Ah, Mr. Roos; very good Captain,—I'm commander." Mr. Roos replied, "Ah! gunner, I will navigate the ship for you. I have two sisters." No answer was given them, but the gunner went on the poop, and he called for Mr. Roos. The mate came out wounded in the shoulder, and went upon the poop. The gunner repeated what he said, and the mate replied that he would navigate the vessel. The gunner went below, and left the mate sitting upon the bencoop; the latter called in French to the boy Adrian, in a begging and entreating manner. Clementi Marco, with a drawn sword in his hand, ordered three lascars to throw the mate alive overboard: the mate cried out in great fear, but they threw him overboard. I was aft on the poop at this time. The mate was thrown from the poop; I saw him lay hold of the driver-sheet, when Clementi Marco ordered Ali Arab to cut the rope. It was cut by Ali. I saw the mate swimming in the water; Mariano shot at him with a musket, but it missed him. John Lawrence then took the musket and shot at the mate, but I cannot say if it took effect. After this second shot I saw the mate lay hold of a rope; Marco ordered it to be cut; Mariano cut it; the breeze freshened and the ship went on. I never saw the mate again. The gunner was in the Captain's cabin all this time. I never saw the Captain rise after he received the two cuts I have described, but Antonio said his body was thrown overboard. I never saw him again. I came below to put away the muskets. The gunner enquired for the Captain's girl. By his directions, I went to look for her. Rehemio said, "Don't you go empty-handed." I asked, "Why?"—He said, "Who knows?" I went aft, and took a sword forward, and Sebastiau brought the girl, who I took to the gunner. He addressed her in Portuguese, "For the sake of you I have done this thing." She said in Malay, "I don't know; I am afraid." The girl smiled, and told me to go and look for a piece of cloth. I went out, and Lawrence came with a swab to clean away the blood. The girl directed me to open a trunk and gave me a key from under the



pillow. I opened the trunk and took out two towels and a banian, which the gunner put on. I saw he was wounded at this time. The gunner changed his dress that night, putting on something belonging to the Captain and something belonging to the girl. After this occurrence, the gunner's berth was in the Captain's cabin. After the Captain and the mate were missing, the gunner acted as Capt., and wore the Captain's clothes, directing the seacunnies to work the ship. The seacunnies were Rehemio, Clementi Marco, and two others, all at the bar. The cargo consisted of gold-dust, leather, &c. When the gold-dust came on board, the gunner spoke of it. Calcutta was the first port we made after these transactions. (Weapons produced.) Witness here identified several knives. Cross-examined by Mr. Leith.—I was the Captain's servant. I was examined at the Police Office upon oath. The Magistrate swore me to speak the truth. I spoke very little of truth but much of falsehood. I was afraid at the police of telling the truth. The gunner taught me to say what I did: he called us all into the cuddy, and after telling us what to do, he said, "Ah, this is very good evidence, now let us go to Calcutta." I first said, that which I had said was untrue, after I was indicted for this offence with the prisoners at the bar. When laying in the gaol, I applied to be a witness in this case. That which I said before the Magistrate I was taught, morning and evening, every day. I could not help it; I am like a blind fowl, and do not understand any law. I was advised by the people in gaol to speak the truth; some European soldiers were in gaol and gave me their advice. I said at the police, that I was laying forward, and the Captain came out and made a noise; then I saw the boat lowering down; then the Captain struck the gunner with a sword, which blow the latter warded off; then the Captain ran to the cuddy, the gunner following. The Captain was killed by the gunner, and the mate was thrown overboard by two lascars and myself. Then I said I saw the gunner wounded, and I sung out, "come let us help the gunner." The gunner taught me to say this. I said I did not see the mate till he was laying on the poop. It was truly about half-past seven when I first saw the gunner going from the fore-castle to the poop. The vessel was running under studding sails. I did not see the man at the helm from the fore-castle, but if I had looked I might have done so. It was the gun-

ner's watch on deck, and if the wind drew a-head it was his duty to act accordingly. The Captain came out, as soon as the sails began to shiver, and began to abuse the gunner, saying, "where are you going? where are you going?" After this the gunner struck the Captain with the sword that was used for cutting fish. The swords were in a rack in the cuddy and any person might take them. I do not know navigation; all I know about the course of the vessel is what I have been told by other persons. When Rehemio said, "you will see. We will be finished." I thought something very bad in my heart,—that there was something wrong with Rehemio; of course I was suspicious being only one man amongst them all. There was nothing before this to excite apprehension or suspicion. I told the magistrate that I was one of the persons who threw the mate overboard. I have said here, that it was done by three others, but what I have said here is the truth. I was not one of the party who threw him overboard. The gunner is the next officer to the mate; if the Captain and mate were to die at sea, it would be the gunner's duty to command the vessel. I saw the struggle between the Captain and the gunner, but I did not go and help the Captain, for if I had, they would have killed me. I saw the mate come out and go upon the poop; he was wounded and bloody. Who would have been bold enough to have informed the mate of the Captain's danger? I looked on passively. I stood by a passive spectator without making one attempt to inform the mate so that he might arm himself. I do not know what became of the sword—whether it flew overboard or whether it was broken. We were under Dutch colours: the Captain and mate were Dutchmen; the owners of the vessel are at Batavia. I do not know if the gunner is a Manilla man, but he speaks the language of that island. The gunner went to seek a pilot. I was present when the pilot came on board; the gunner was present, and made the statement to the pilot that I told to the Magistrate. We did not call at any intermediate port after the death of the Captain and mate. We met a brig, but did not speak her. When we came near here, we met a ship, but held on our course, and we did not land any goods subsequent to the transactions I have detailed. Re-examined.—At the time the sails were shaking we had studding sails set; they had been set since three o'clock. We had a very fine wind that time. I saw the ship's head coming round quite



fast; my opinion is the helm was put down, because I saw the gunner wave his hand. By the Court.—I saw no moon that night. It was dark at nine or ten. At seven o'clock it was light enough to know people if they were near. I stated to the Magistrate that I and another had thrown the Captain overboard. Ameenah, the Malay woman first went on board the "Sumatra" at Batavia, lived in the same cabin with the Captain. Speaks to the dispute about the liquor, and the Captain's abuse of the gunner. And deposes as follows:—At eight o'clock in the evening my master was reading in the cuddy and saw a light above, he rose, and went upon deck unarmed, and said, "what is all this?" My master fell from the poop down the ladder; the mate ran forward to his cabin; the Captain did not speak again, but breathed hard, when the gunner was on him stabbing him. The mate was in the Captain's cabin. I ran away and saw him no more. I saw my master fall, and the gunner stabbing him; then I went forward and saw him no more. After about one hour I returned and saw three of the prisoners (seacunnies) with swords in their hands. Lawrence was similarly armed. (Witness identifies Mariano, Lawrence, Mont, and Marco.) Boniface took me into the cabin where the gunner was covered with blood; he said, "if you will not take care of me I will kill you." I remained with him all night. His bloody clothes were changed; what became of them I do not know: I found him with a sheet round his body. Then he put on my sarries and his own trousers and shirt—a white one. I was compelled to live with the gunner in order to save my life. When before the magistrate, the first time, having been taught by the gunner, I spoke falsely then. Cross-examined by Mr. Leith—The ship belongs to a merchant in Batavia. I do not know his name, nor that of the mate. I saw wounds on the body of the gunner; he had bled much; lint was applied, not by me, but by the seacunnies. I gave no directions, but gave the keys to Boniface, who asked for them to get some medicine, which was brought to the gunner. Boniface and the others applied the medicine to the wounds. I saw nothing burnt. My master left his book and went on deck; in about 15 minutes he fell. I saw him coming down the ladder, he stepped down one step, and then he fell. The gunner fell upon him and began to stab him. Boniface was not present when the gunner threatened me. At this time

the wounds of the latter were dressed, and we were alone. The gunner said the Captain had been abusive, and he added, "I have cut him." The seacunnies also said that the Captain had been abusive; "we have cut him," said Clementi, Marco, and Mariano; "he accused us of stealing arrack." I swore falsely at the Police Office. Re-examined—When my master was reading, he saw a light as if some one was burning paper at the compass. He said, "What is that?" and went on deck.—Sebastian, another of the crew, was instructed by the gunner not to say the truth before the Police Magistrate.—The log-book was not put in. This closed the case for the prosecution.—Mr. Leith urged several objections against the indictment and the jurisdiction. Time will only permit of a brief summary. First, that the ownership of the property is laid in parties unknown, but proved to be in the Netherlands' Trading Society, of which the president's name is Fourchardt. Secondly, no felonious taking. It is necessary to shew *animus furandi lucricans*, or to convert the goods to the prisoner's own use and to make them his own property. That, by the death of the Captain and mate, the care, navigation, and management of the vessel devolved on the gunner, and that the property came into his possession as a special trust. That this offence was not piracy by the common law: the statute of 28th Henry 8th made nothing piracy which was not so before, but subsequent statutes have made other offences piracy. That the Parliament of England cannot legislate for foreigners; the prisoner is an alien, not subject to the general jurisdiction; the deceased was an alien, and subject of a foreign state; the ship foreign, sailing under the Dutch flag. That the jurisdiction clause does not state the piracy to have been committed on persons in amity with the King of Great Britain. "In the peace of our Sovereign Lord the King," so alleged in the indictment, but the evidence proves that neither the parties injured nor those who committed the offence were within the peace of our Lord the King.—When the prisoners were called on for their defence, all, with the exception of Clementi Marco, declined to say any thing further than that which is contained in their deposition at the Police Office. Clementi addressed the jury, and his account of the transactions on the night of the death of the Captain and mate, was, in substance, similar to the statement given by the gunner



to the pilot, and which is already before the public.—A written statement was also put in by the gunner in substance the same as that already mentioned.—Capt. Jas. Taylor deposed, that the gunner had sailed with him in May, 1830, and Dec., 1832; the first time he remained five months, the second fifteen months. He gave great satisfaction, did his duty well with great alacrity, and had a number of small valuable articles under his charge, which were never lost or missing. He rarely, or ever, accepted his allowance of liquor, and was a quiet and peaceable man. At Manila, the gunner's relations appeared to belong to the middle class. Witness has heard of the burk "Dedericka," Captain Taylor, the commander of which vessel was murdered on board. He has seen the murderer at Singapore; the gunner is not that man; he sailed with witness at the time the murder was committed.—The learned Judge then went over the whole of the evidence and stated the law, applying to the case with much clearness. At half past five o'clock the jury retired, and in about half an hour returned a verdict of "guilty" on the first and second counts of the indictment.—Mr. Advocate General intimated that he would not proceed with the other indictments, the end of justice having been answered by the single conviction. The prisoners are to be brought up on a future day to receive the sentence of the Court.

#### INSOLVENT COURT, July 30.

*In the Matter of James Young and Others.*—The order nisi of the 16th July was made absolute, no cause shown, that the assignees be at liberty to pay Messrs James Alexander, Josias Dupre Alexander, Henry Alexander, and John Fullarton, respectively, the dividend now due and payable at rate declared, and dividends which may hereafter become due and payable on the claim appearing admitted in the schedule of the insolvents, viz., James Alexander, dividend Rs. 9,91,830, J. Dupre Alexander Rs. 16,14,164; Henry Alexander, Rs. 5,68,879, John Fullarton Rs. 7,21,861, total Rs. 38,96,738.

*In the Matter of James Cullen and Another.*—Mr. Tait moved the rule absolute, that the charges of Mr. D. MacIntyre, late assignee, be defrayed out of the assets of the estate. The rule was opposed by Mr. Thompson, on behalf of Mr. Dickens, and it was ordered that the executors be allowed credit in the estate of the insolvents and by the present assignee, for the fair and reasonable charges and expenses incurred by the

late assignee, in the management of the estate during his assigneeship, with liberty to the opposing creditor to attend before the assignee and make such objections as he may think proper.

August 27.—*In the Matter of John Francis Spiller.*—Mr. Strettell, on the part of Major Spiller, moved for a commission directed to certain persons at Sultanpore, to swear the insolvent to a certain affidavit explanatory of a contempt of court for non-payment of the apportionment of his pay and allowances, as directed by the court, on the 23d Aug. 1831, and for which an attachment had issued against the insolvent, and for an order that the insolvent who had been arrested under the attachment, should not be removed from his station until the return of the commission, and the motion was finally disposed of. It was urged that the affidavit disclosed circumstances of considerable difficulty, over which the insolvent had no control, and which would extenuate the insolvent's disobedience of the order of the Court, and which it was hoped would remove the process which had issued.—Mr. Sandes, on the part of the assignee, urged, in opposition to the motion, that heavy expenses would fall on the estate by the continuance of the Sheriff's officer at Sultanpore, which was answered by the fact that the Sheriff's officer resided at Benares, and the expenses would be lighter by the stay of the process, than if the insolvent were brought to Calcutta, which would entail the necessity of conveyance to Calcutta, and back, and that the motion in that respect was of advantage to the creditor.—Sir B. Malkin stated, without affidavit of the probability that the insolvent would swear to the affidavit proposed to be sent up with the commission, he could not pass any order, nor, without the consent of the assignee, who was the best judge of the interests of the creditors, would he pass the order in reference to the costs of the detention of the writ. Mr. Strettell expressed his readiness to put in an affidavit of his belief, that the insolvent would depose to the affidavit then offered to accompany the commission, inasmuch as it was in strict conformity to instructions he had received from the insolvent. As to the costs, he was ready to undertake to pay all costs incident to the delay sought by him, and he hoped in reference to the interests of the creditors, the assignee would accept of that undertaking.—The motion was granted on consent to the terms proposed.







India, or if Majors £629, or Lieut.-cols. £704 a-year. The plan suggested is open to the home authorities to adopt in times to come, and will render all contributions now necessary for the relief of the officers, now in the army in India, to a retiring fund but temporary, and no longer requisite when the plan comes into operation with those who may hereafter enter the military service of India. The correctness of Mr. Curdin's calculations having been verified by the opinions of able actuaries, no doubt can be entertained of the result; and we trust the plan now noticed will obtain an early attention from the ruling authorities in this country, to prevent timely an evil, the effects of which may tend if disregarded, to endanger the safety of our Indian empire." *Englishman*, Aug. 12.

We understand by letters from Madras, that the prosecution of the Commissariat servants at Bangalore, has completely failed, and that the trial of the second writer on charges similar to those preferred against Soobaroy, has, in like manner terminated in a verdict of acquittal. We also hear that Captain Osborne, who has borne a conspicuous part in the prosecution of the above servants, is at length to be brought to trial on the charge preferred against him by Captain Whistler, a year since, but which charges have thus long remained in abeyance, in order that that officer might conduct the prosecution of Soobaroy and his fellow-servant. We have heard rumours of the charges against Captain Osborne but abstain from mentioning them as we are not yet possessed of all the details.

We understand that there is some probability of a work being restored to oriental literature, possessing pre-eminent interest for the Asiatic philologist, being the "Arabian Nights' Entertainments" complete in the original Arabic. The history of this classical specimen of colloquial Arabic, is exceedingly curious. Though the name by which the work is known, "The Thousand and One Nights"—"indicates the number of sections into which the work was originally divided, it appears that the most profound scholars of the East, knew nothing of any part beyond three hundred, and two hundred only were published, until the recent labors of Professor Habicht of Breslau, added one hundred more to the series. The late Major Macan, when he returned to England with Lord Combermere, learned from a celebrated continental orientalist, that a manuscript copy of this work, complete, had been for

some centuries in the possession of a noble Arab family in Egypt, but that he had been unable to induce the proprietor to allow a transcript to be made. Major Macan succeeded in effecting this, through the medium of influential persons, after infinite trouble, and he brought it out to India with the intention of editing it. The premature death of that accomplished orientalist has prevented this. We trust, nevertheless, that a work which possesses such strong claims on the attention of Asiatic scholars, and which has a charm even under the disadvantages of translation, of which few books can boast, will not be lost to the world.

The H. C. Steamer, *Ganges*, has been placed at the disposal of his Excellency the Commander-in-chief, who proceeds in her to the Sand Heads, for the benefit of a change of air. The excursion will not retard or interfere with the arrangements already made for his Excellency's journey to the Western Provinces.

Col. Torrens and Col. Dunlop are already on the move. The latter, we understand, will leave Calcutta on 15th August.

The following extract from a letter from the Purser of the *Windsor*, will explain the circumstances of the loss of that fine ship. We understand that the ship, freight, and cargo, are all insured in London. So the offices here do not suffer by the disaster:—"On board the Asseerghur Pilot Brig, 30th August, 1836.—The poor *Windsor* is a total wreck, having struck yesterday afternoon in the lower part of the Casper Channel; immediately afterwards we found five feet water in the hold, and at the next sounding, fourteen; so that any attempt to lighten the ship by throwing cargo overboard became hopeless, and, indeed, by the time the launch and yawl were hoisted out, we had just time to save ourselves, as the sea was making a breach over the upper deck. We were unable to rescue a single article from the wreck, and are here on board the Pilot Brig, just as we stand, some of us without jackets, others without hats or shoes. Through God's mercy we have all escaped with our lives, except a poor woman. Miss Blenkin's servant, who was drowned by the swamping of the stern boat. The poor ladies have borne up wonderfully well—of course, the first thing was to place them in safety, and they were got out of the ship a very short time after she struck.—The whole business was like a dream, from which I seemed struggling to awake, and it was



only this morning when we saw our good ship lying over on her broadside, with the stumps of her masts just above water, that I could convince myself that the *Windsor* is indeed no more."

A European gentleman, late in the service of the Begum Sumroo, presented a nuzzur, and paid his respects to Runjeet Sing; among the articles presented was a picture of the late Princess of Sirdhannah. The Maharajah made many enquiries as to the extent of her artillery and troops, gave the gentleman a handsome present, and promised to entertain 200 sepoy who had accompanied him. On the following day, the Maharajah made further enquiries regarding Colonel Dyce Sombre, and remarked that the horse presented to him, was the largest he had ever seen.—Mr. Courtland paid his respects, on return from the celebration of his marriage, and offered seven bottles of brandy as a nuzzur, which was graciously received and duly tasted by the Maharajah. Mrs. Courtland was also presented, and the Rajah, in honor of a European lady at his court, ordered an increase of 200 rupees to the pay of her husband. So much for the gallantry of the Sikh Chieftain.

We have been informed that several old Captains intend to avail themselves of the "Boon," especially in the 51st, 70th, and 44th regiments; but we have not yet heard of any Majors or Lieut.-colonels wishing to retire. It is said that no less than six officers in the 44th regt alone, will immediately take advantage of the "Boon"—and, doubtless, many other old Captains will follow the example.

We learn that Mr. Bruce of Sudya, has lately made another very successful excursion in the Singpho country, to the north of Sudya, during which he has discovered no less than ten new localities in which the tea plant is growing in abundance and vigour, and that one of the three varieties discovered is believed to be the green tea plant:—"When he formerly went into the same country four or five months ago, the jealousy and discontent of our Singpho tributaries were so great, that he was under the necessity of taking with him an escort of forty muskets: but a wonderful change has been wrought in their disposition; and in his late excursion he was attended by a single servant, and two men to be left at different places to look after the clearing of the tea grounds.—It turns out that the Singphos within our

territories are not only aware of the existence of tea upon their lands, but cultivate the plant systematically, and are extremely fond of the beverage they prepare from the leaf. They were reluctant, however, to afford Mr. Bruce the information he wanted on the subject, until he had won their hearts by trifling presents of opium, and some kind language. After that, they readily guided him in his researches."

*The Hooghly College.*—This noble institution was opened, as had been previously notified by advertisement, on 1st August; and within four days no fewer than fifteen hundred students were enrolled. Such a thing we scarcely recollect ever hearing of from any nation in the world; and in India it is so totally unprecedented as almost to confound the mind. Some of the wonder may be taken off, when it is remembered that the college will embrace the whole course of study, from the most elementary lessons of childhood, up to the highest point of intellectual culture, to which circumstances will allow of its alumni being carried. Were it otherwise, a crowd of students like this, flocking to a college, would prove a previous very wide extension of common education. As it is, the fact justifies such an inference only to a partial extent. Our experience of the Native passion for novelty, too, warrants the apprehension that the college lists will before long contract to more moderate length. Nevertheless, after every deduction that can be made, the fact is one of surpassing interest. In respect to the education of the people, and their redemption from superstition and moral degradation, it is, without doubt, the fact of the year 1836.

*The Burdwan Raja.*—Few events have created a greater sensation in the Native community than the recent appearance of a young man who assumes to be Prutab Chunder, the son of the late Raja of Burdwan, and claims the restitution of the immense estates of the family. Prutab Chunder was supposed to have died about fourteen years ago; but it is singular that no funeral obsequies were performed on his behalf, either at the period of his death, or supposing him to have disappeared, after the lapse of the time, when, according to the shastras, he is to be considered as dead. After the death of his son, the old Raja married the sister of one Puran, a man in very indigent circumstances; and having no children by her, adopted the son of his brother-in-law as his heir.



Muha Raja Muhutap Chunder, Bahadoor, the present Raja, is, therefore, the son of the stranger. The indignation of the whole country was roused at the intrusion of this new family; and it was possibly the general detestation of Puran and his kin, which induced the person who now claims the property of the family, to make his appearance. He came into the Bancoorah district some time ago, and giving himself out as Prutab Chunder, coming to claim his rights, forbid the ryots to pay their rents, except on his order. The peasantry glad of any pretence to evade or postpone their payments, readily acceded to his wishes. The collections were suspended for a time, and this led to a breach of the peace. The man charged with this transgression was seized by the Bancoorah magistrate, and sent up for trial to Hooghly. The suit was brought forward on Wednesday and Thursday last, in the presence of an immense multitude, in a state of the most feverish anxiety, and the supposed Raja was found guilty on the criminal prosecution, of having created a disturbance, and sentenced to six months imprisonment, and to find security for his good behaviour to the amount of 40,000 rupees. He was attended at his trial by several gentlemen from the Supreme Court, who were anxious that the question of his identity should be decided first; but this was overruled by the Judge, whose only business, as he is said to have stated it, was to ascertain whether the prisoner was engaged in the disturbance which had been committed at Bancoorah or not. The attendance of the legal gentlemen, was, therefore, of no avail. The exaction of so very large a security from the young man is considered by the Natives a proof that Government do not regard his claims as fictitious. He is extensively supported by the richest and most respectable Natives in this part of the country; and they would rather see the *gaddee* occupied by him, even though he were an impostor, than by the present intruders.—There can be no doubt that the question of his identity will come under judicial cognizance, for his numerous friends will not allow it to slumber; and, perhaps, we ought to refrain from any remarks tending either to support or to impugn his claim. Thus much, however, we may perhaps add without impropriety, that a general impression prevails on the minds of those who have watched the progress of events, that Prutab Chunder did actually depart this life; that his death was not without violence;

that some who have a proximate interest in the affair, have such unquestionable evidence of the fact of his decease, as to feel little apprehension of its being disproved by a judicial enquiry; but that the appearance of one, whose pretensions imply that he was privy to the foul murder, sharpens the stings of conscience by the prospect of detection.

*New School at Barrackpore.*—While speaking of the Governor General, we may as well mention that his Lordship intends to establish a School at Barrackpore for the instruction of the poor in English literature. The management of the institution will, we hear, be placed in the hands of a student of the Hindu College.

At the monthly meeting of the Asiatic Society, which took place on 3d Aug. it was intimated that, in consequence, of the further explanations offered, Government had at length authorised the Society to undertake the printing of 500 copies of the Bishop of Cochin China's dictionary of the Cochin Chinese language with its Latin version,—at a fixed cost to Government of 5,500 rupees. Of this sum, 3,500 is a personal allowance to the learned Bishop for his expenses during at least a twelve-months' superintendence, (his labor of compilation having no other reward than the pride of literary fame;) and for the remaining 2,000 rupees, only, Dr. Marshman has engaged to turn out the work—above 500 pages—at the Serampore Press, though the letters must be cut for the purpose. Dr. Marshman's offer was correctly viewed as one of pure generosity, made in the expectation of actual loss,—not to speak of the value of his personal labor.—A third oriental work of the unfinished publications handed over last year to the Society by Government, was laid upon the table,—“*Naiskade*,” a Sanscrit poem, with copious notes by a Pundit of the Sanscrit College, very neatly printed, in a thick volume of about 900 pages. Among the communications to the Society, of which there were a considerable number, was a letter from Government asking the opinion of the Society upon a proposition of Sir Alexander Johnston, referred here from Madras, that the late Colonel Mackenzie's labors should be followed up by directing attention to the copying of inscriptions in all parts of the country, and pursuing other antiquarian enquiries.—Sir Alexander, who has, at present, the charge of Colonel Mackenzie's manuscripts, seems to attach great importance to the acquisition of these materials of



history, and suggests that researches should be made systematically and simultaneously every where at some cost, that is the question upon which the Government of India may possibly differ from the compiler of Col. Mackenzie's manuscripts. The matter was ordered to be referred to the committee of papers. —The table exhibited proofs that the Society was gaining very rapidly for its museum by the liberality of its contributors. Scores of stuffed birds and animals just received, invited the gaze of the visitors, and there was a five poisonous snake, (of a new species, we believe,) seven feet long, coiled in a little wire cage, which attracted a good deal of attention.

**Agra Bank.**—Report of the Agra Bank for the half-year ending June, Aug. 8th, 1836.—At the half-yearly meeting held this day at the Bank, the Secretary read the following statement of affairs:—Gentlemen,—I have the pleasure of laying before you the results of the last half year's banking. The prosperity of the Agra Bank is still progressing, though I cannot shew so great a relative profit as I did at the last half-yearly meeting, which is accounted for thus,—in December and January we were obliged to stop the general granting of loans as the demand for them far exceeded our funds, the Directors then re-opened the sale of shares and the cash flowed in so abundantly that the funds in a very short time exceeded the demand for cash; it was then thought advisable to carry into effect, what had long been contemplated, the investment of stock to a certain extent in the Govt. loans, of which we have now 1,51,800 rupees worth in the 4 per cent. promissory notes.—The amount of stock you will also perceive far exceeds the amount of deposits, and I have found it very difficult to keep down the cash in hand, the amount of which need not be so large, since we hold one lakh and a half of Government paper in small notes. The amount of nett profit, however, is sufficient to pay a dividend of a little more than 12 per cent., being Company's rupees 30,019-0-9.—Several casualties have occurred among the borrowers from the Bank, but their lives were insured, and the policies have been adjusted, and there is no loan but what is in course of repayment.—I have the satisfaction to state that Biddeechund Seth, the head of the wealthy banking-house of Jodraj Biddeechund of Agra and Gwalior, has become security for the treasurer of the Agra Bank to an unlimited extent.—The amount of funds during the last half-

year has been as follows on the 1st of each month.

1st of January, 1836 -	8,52,933	5	0
1st of February, " -	8,35,290	15	0
1st of March " -	8,68,954	0	11
1st of April " -	8,83,135	8	8
1st of May " -	9,72,614	9	10
1st of June " -	10,90,789	10	2

**Civil Fund Meeting.**—The Quarterly Civil Fund Meeting took place on July 30, which admitted the widow and child of the late Mr. C. G. Blagrove, and elected Messrs. Charles Barwell, W. H. Macnaghten, F. Millett, F. Halliday and Houston as Directors for the ensuing year, in place of Messrs. D. C. Smyth, J. A. Dorin, R. Walker, J. R. Colvin, and J. P. Grant out by rotation.—There was a good deal of discussion upon an application from Mr. John Jackson of the China Finance Committee, now at the Cape, to know the terms on which he might be admitted as subscriber—the answer given him not being deemed sufficient by Mr. H. T. Prinsep and others. The following are copies of both the letter and answer:—"To the Secretary to the Bengal Civil Fund, Calcutta.—Sir, Previous to my getting to China, I had the honor to address a letter to the Managers of the Bengal Civil Fund, to request information of the terms upon which I could be admitted to become a Subscriber to that Institution, being then under the impression, that as a Civil Servant of the Company transferred to the Bengal Presidency, I had become eligible.—I have since quitted China on account of ill health, and perceive by the Report of the Trustees, that my application had been put aside for consideration on my arrival in India; but being informed by a letter from the Secretary at the India House, that the Company's China Agents have been allowed by the Court of Directors to subscribe to the Bengal Fund, without proceeding thither, I am desirous to know the terms and conditions upon which I may be admitted. There appears to be a difficulty attending the Servants of the China Establishment becoming Members of the Fund, in separating the Annuity from the Charitable Branch. The Annuity having been already conferred gratuitously upon the China Servants by the Court of Directors, they can hardly be expected to subscribe for it. It is, however, my wish to become a Subscriber, if the terms and conditions of admission are such as will render it desirable, and I shall feel obliged by your sending me the necessary information at the Cape of Good Hope, where, it is probable, I



shall be at the time your letter will reach me.—I am, &c. JOHN JACKSON, East India Company's China Agency.—Cape of Good Hope, 18th April, 1836.—*(Reply.)*—“Sir,—I have the honor to acknowledge the receipt of your letter of the 18th April last, and in reply to forward you a copy of the existing Rules of the Bengal Civil Fund, and to inform you that they are at present under going revision, and that when finally passed and agreed to by the Service a copy thereof will also be sent to you for your information.—I have the honor to be &c. (Signed) R. B. FITZGERALD, Secretary Civil Fund.—Civil Fund Office, Calcutta, 23d June, 1836.—Mr. Prinsep explained, that Mr. Jackson's right of admission rested upon a letter from the Court, of which the following is a copy: Public Department.—Our Governor of the Presidency of Fort William in Bengal.—1. The Members of the late China Factory who became our Agents in China without previously proceeding to Bengal, are to be considered as having belonged to the Bengal Civil Service from the date of their becoming Agents, and they, as well as the other Members of the Factory who proceeded to Bengal, *are to be entitled to subscribe to the Civil Fund, if they please, and not otherwise.*—And accordingly proposed the following Resolution:—“That Mr. Jackson be further informed in addition to the reply already transmitted to him that he will be permitted like other China Servants transferred to Bengal to subscribe under Article XXXI. of the Rules forwarded to him, that is on paying up his subscriptions from the commencement of any allowances receivable by him as a Civil Servant of the Bengal establishment, in other words, from the date of his appointment as a Member of the Financial Agency in China. That the above is the rule as it stands at present, but the rule is under revision, and if Mr. Jackson's election be not made immediately on receipt of this information, his case may be brought under the new rules that may be established.”—To this an amendment was proposed by Mr. D. C. Smyth, and seconded by Mr. Macfarlane.—“That the letter written by order of the Managers to Mr. Jackson of the 23d June, be approved.”—The amendment received three votes, and the original motion six, which, however, being short of nine, could not be recorded as passed.—We left the Meeting discussing a lot of new Rules passed by the Managers.—The Fund Balance on the 22d July, was Sa. Rs. 13,00,142-3-6, and the

monthly incumbents in England, 41 widows and 116 children, receiving together Sa. Rs. 17,085-13. In India, three widows and six children receiving Sa. Rs. 1,245-10-8, and one gentleman in Europe Sa. Rs. 125.

**CIVIL APPOINTMENTS.**—June 20, The Governor General in Council has been pleased to appoint Captain Benjamin B. Shee, of the 47th regt Madras N. I., to the command of the British Detachment in Persia, from the date on which that duty may be resigned by Col. Pasmore.—To provide for the vacancies occasioned by the departure from Persia of Colonel Pasmore and the appointment of Captain Justin Sheil as Secy. of Legation, Lieut G. P. Cameron of the 10th Madras N. I., and Lieut G. Woodfall of the 45th N. I., who are proceeding to Persia with the permission of the Hon. the Court of Directors, are appointed to do duty with the British Detachment in Persia—July 25, Asst Surgeon H. Chapman of Gov.-Genl's Body Guard is placed under the orders of Lieut-col. Lloyd employed on special duty in N.E. Frontier—26, Mr. R. Neave to officiate until further orders, as 2d Additional Judge of Zillah Burdwan—Mr. T. Taylor to be Magistrate and Collector of Shahabad—29, Mr. W. Bogie, M. D., Asst Surgeon, to perform the medical duties of the civil station at Shahabad—Mr. D. H. Crawford having satisfied the Gov. Gen. of India in Council that the climate of Bengal is not suited to his constitution, is, at his own request, assigned to the N. W. Provinces—Messrs. C. T. Sealey, G. H. Clarke, and G. D. Raikes, have reported their arrival as Writers on this Estab.—Mr. T. Taylor is appointed dep. Opium Agent at Shahabad, vice Gough removed—Aug 1, Mr G. D. Raikes is permitted to proceed to Ghazee-pore; and prosecute his study of the Oriental Languages, under the orders of the Commr. for that division—2, Mr. W. H. Martin to officiate until further orders as Magistrate and Collector of Nuddeah in the room of Mr. R. C. Halkett—Mr R. B. Garrett to officiate as joint Magistrate and deputy Collector of Furreedpore, in room of Mr. Martin—9, the Governor of Bengal has been pleased to make the following appointments:—Mr. E. E. H. Repton to officiate as Magistrate and Collector of Balasore, during Mr. T. C. Scott's illness, or until further orders. Mr. Repton has been authorised to deliver over charge of the Civil and Session Judge's Office, in Cuttack, to Mr. A. J. M. Mills, who will conduct the current duties of that office, in addition to his own duties



of Magistrate and Collector—Mr. A. Forbes to officiate as joint Magistrate and deputy Collector of the central div. of Cuttack, during Mr. Repton's absence—12, Mr. R. Trotter to officiate, until further orders, as Magistrate and Collector of Zillah Behar—17, Sir Charles D'Oyly, Bart., Senr. Member of the Board of Customs, Salt, and Opium, and of the Marine Board, resumed charge of his duties on the 15th inst.—Mr. E. E. H. Repton is appointed to officiate as Salt Agent at Balasore, the appointment to take effect from 9th inst.—Mr. T. C. Trotter has been permitted to proceed to Patna, and prosecute his study of the Oriental Languages under the orders of the Opium Agent at that Station.—Mr. F. B. Gubbins reported his arrival as a Writer on this Estab., on the 12th inst.—Mr. R. Torrens to officiate until further orders as additional Judge of Zillah Chittagong—The Hon. R. Forbes to officiate as Magistrate and Collector of Moorsheadabad, in the room of Mr. Torrens—Mr. P. G. E. Taylor to officiate, until further orders, as joint Magistrate and deputy Collector of Malda—Mr. F. Cardew to be joint Magistrate and deputy Collector of Bogra, vice Mr. T. Taylor prom.—Mr. Arthur Grote to be an Asst. under Comr. of Revenue and Circuit of the 14th or Moorshedabad div.—Mr. Asst Surgeon J. C. Smith to perform the med. duties of the civil station of Backergunge, vice Mr. Spencer *dec.*

**CIVIL APPOINTMENTS BY THE GOVT. OF AGRA.**—June 15 Mr. J. Lean to be a deputy Collector for the purpose of preparing, investigating, and determining, in the first instance, cases under the provisions of Reg 2 of 1819, 9 of 1825, and 3 of 1828, in the Districts comprised within the 2d or Agra division—July 25, Mr. W. B. Jackson to officiate as additional Judge at Benares—Mr. N. H. E. Prowett, ditto, as joint Magistrate and dep. Collector of Futtehpoore—Mr. J. H. Batten is authorised to exercise the powers of joint Magistrate and deputy Collector at Seharunpoore in Mr. Prowett's room, until further orders.

**GENERAL ORDERS.**

Legislative Department, 1st August.—Resolution.—By clause 3, section 3, regulation XI. 1822, of the Bengal code, it is provided that joint estates shall not be liable to sale for arrears that may accrue during the progress of a butwarra or partition, until the expiration of the year within which the arrear may become due.—It is further enacted, that in like manner, estates under attachment, by order of the courts of justice, shall

not be liable to sale in the middle of the year for arrears accruing during the period of such attachment. This restriction in regard to the period of sale is properly imposed as respects estates under attachment, the management and the collection of the rents of such estates being committed to the officers of the Government, and it being just that a sufficient time should be allowed for the examination and adjustment of the accounts of those officers, in concert with the proprietors of the estates. The Governor-General in Council has, therefore, resolved to maintain the restriction for estates so held under attachment. There is, however, no valid reason for permitting the restriction to continue in force, as respects joint estates under partition, no interference being exercised by the Government in the management of estates so circumstanced, and there being nothing in the process of partition by which the punctual collection of the rents can be impeded. The effect of the restriction has been, that butwarraes have often been fraudulently commenced by persons who had no intention of completing them for the purpose of protecting the estate from sale.—To this evil the Board of Revenue has been in the habit of applying a remedy by quashing butwarraes, which were believed to be fraudulent. But doubts have arisen as to the legality of the power thus exercised by the Board; and it has become absolutely necessary for the Governor-General in Council to take the subject into consideration.—His Lordship in Council has determined to legalize all the acts done by the Board of Revenue, and the officers invested with the authority of that Board, in the exercise of their assumed power. He has come to this determination from a conviction that these acts, whether strictly legal or not, were well intended, were generally salutary in their effect, and could not now be reversed without unsettling the titles by which a large number of estates are held. His Lordship in Council has determined to repeal the provision which has given occasion for this questionable exercise of power, and to settle the existing doubts by an enactment which will prevent any butwarra, from being hereafter quashed while any party to it is desirous that it should proceed. The following draft of a proposed Act is accordingly published for general information:—Act No. — of 1836.—1. It is hereby enacted, that from the — day of —, so much of clause 3, section 3, regulation XI., of 1822, of the Bengal



code, as provides "that joint estates shall not be liable to sale for arrears that may accrue during the progress of a butwarra or partition, until the expiration of the year within which the arrear may become due," be repealed.—II. And it is hereby enacted, that from the said — day of —, no butwarra while in progress, shall be quashed by the Board of Revenue, or by any officer invested with the powers of the said Board, except as hereinafter provided.—III. And it is hereby enacted, that it shall be lawful for the said Board, or for any of the said officers, to give six months notice in writing of an intention to quash any butwarra, and such notice shall be affixed at the offices of the collector of the district, and moonsiff of the jurisdiction, within which the lands under partition, or part of those lands, may be situated; and if within six months after such notice, no party to the said butwarra shall deliver to the said collector a written declaration, that he, the said party, objects to the quashing of the said butwarra, it shall be lawful for the said Board or the said officer to quash the said butwarra.—IV. And it is hereby enacted that every butwarra, which, before the said — day of —, may have been quashed by the said Board, or by any of the said officers, shall be taken by all courts to have been lawfully quashed.—Ordered, that the draft now read, be published for general information.—Ordered, that the said draft be reconsidered at the first meeting of the Legislative Council of India, after the 13th day of Sept. next.

Notice.—Financial Department, 27th July.—The attention of the Right Hon. the Governor General of India in Council having been drawn to the lateness of the period at which the accounts and the periodical estimates of the receipts and disbursements of the several Presidencies are completed, and his Lordship in Council having been led to enquire into the causes of the delay, has been informed that the evil is mainly to be ascribed to the neglect of several of the officers in charge of treasuries of receipt and disbursement in the interior, to forward their accounts in due time, but partly also to errors requiring correction in the accounts rendered, and to other circumstances which protract, or render difficult the adjustments necessary to complete the general review of the finances of the year.—In so far as the delay referred to, arises from accidental errors, or difficulties of adjustment, in operations so widely extended as

those which constitute the finance of India, his Lordship in Council will always be prepared to make liberal allowance to the officers of the department whose duty it is to combine and prepare the general statements, but it is his fixed determination to visit with the severest penalties of his displeasure the neglect of any officers in charge of subordinate treasuries, who may be reported to him as having failed to render their accounts for any month within such reasonable period after its close as shall be fixed by the Boards, or other heads of the departments, concerned. In order that his determination, in this respect, may be generally known, and as a warning to those who are habitually negligent of their duty, in respect to the public accounts, his Lordship in Council directs this public notice to be given of his views and intentions on this subject, and desires that the Boards, and other superior authorities, will give their particular attention to the absolute necessity of requiring punctual accounts from the officers under their authority, and that the officers of account, likewise, at the presidency, will consider it their duty to bring specifically to notice any delay or neglect of the officers of the interior whose accts. fall under their supervision.

Judicial and Revenue Department, the 30th July, 1836.—With a view to the improvement of the scheme at present in force with regard to the nomination of Sudder Ameens and principal Sudder Ameens, and to the introduction of a system of promotion throughout the subordinate classes of judicial functionaries, which by giving advantages to merit and by exciting honorable emulation, shall tend to encourage exertion and uprightness of conduct, and to connect the faithful discharge of duty with its legitimate rewards.—The Right Hon. the Governor of Bengal, has been pleased to prescribe, and to publish for general information, the following rules of nomination and promotion.—Firstly. That the zillah Judges nominate as at present through the Commissioner of the division to the Court of Sudder Dewanny Adawlut, all individuals proposed for the situation of Moonsiff.—Secondly. That the Judge of each district furnish annually to the Court of Sudder Dewanny Adawlut, a list containing the names of the three most zealous, capable, and trustworthy Moonsiffs within his jurisdiction, and that the names in such list be entered, if possible, in the order of estimated merit, or the names of those whose claims to promotion are considered equal inserted in



a bracket.—Thirdly. That on any vacancy occurring in a Sudder Ameenship by death, removal from office, or other cause, the Court of Sudder Dewanny Adawlat shall select from the several district lists, (after calling for any information which they may deem requisite with respect to any of the nominees and referring to the records of their own office) and submit for the consideration of Government the names of the three Moonsiffs best qualified in their judgment to fill the vacant appointment.—Fourthly. That on any vacancy occurring in a principal Sudder Ameenship the Court of Sudder Dewanny Adawlat shall select and nominate to Government the three Sudder Amcens best qualified in their judgment to fill the vacant appointment.—Fifthly. That in every practicable case, the Rule with regard to order of nomination, or indication of estimated equality by brackets laid down at the close of the second article, be observed by the Sudder Court.—Note. With reference to the third article it must be understood, that the Governor reserves to himself the power of appointing any duly qualified individual, although he have not been recommended by the Court, and have served as a Moonsiff to a vacant Sudder Ameenship. But no person who has not served in the grade of Sudder Ameen, will be considered eligible for a Principal Sudder Ameenship.—ROSS D. MANGLES, Secy. to the Government of Bengal.

**MILITARY APPOINTMENTS, PROMOTIONS, CHANGES, &c., from 29th June to 20th Aug. 1836.**—The Nesmuch order appointing Asst Surg. T. Russel, 1st regt L. C. to Medical charge of 49th regt N. I. during the absence on leave of Asst Surgeon E. T. Downes is confirmed.—32d regt N. I. Lieut. A. Lewis to be Captain—Ensign L. R. Keane to be Lt. from 3d April, 1835, in succession to Glegg retired—Brevet Captain J. Bartleman 44th regt to officiate as 2d in command of the Mhairwarra Local batt. during the absence of Captain P. C. Anderson on sick leave, or until further orders.—Lieut. W. MacGeorge, 71st regt N. I. promoted to the rank of Captain by brevet—62d regt N. I. Lieut. W. M. Ramsay to be Captain—Ensign Hon. R. B. P. Byng to be Lieut. from 4th Jan, 1836, in succession to Captain F. Crossley retired—Super. Cornet R. Boulton is brought on the effective strength of the Cavalry in the room of Cornet M. Lushington, 7th L. C., dismissed on 9th July by the sentence of a General Court Martial—Captain J. D. Douglas, 53d regt

N. I. and Captain L. N. Hull, 16th regt N. I. Deputy Asst Adj. Genls. of Division are promoted to the grade of Asst Adj. Genls. of Division to complete the number authorised by the Court of Directors.—Super. Dep. Asst Adj. General of Division; Captain J. M. Heptinstall, 81st regt N. I. is brought on the effective strength of the Department—Asst Surg. F. H. Brett to take charge of the medical duties of the Governor General's Body Guard during the absence of Asst Surg. H. Chapman—The District order by Lt. col. W. H. Hewitt commanding in Arracan of 8th June last appointing Lieut. J. Erskine, 40th regt N. I. to act as Executive Officer of Public Works in Arracan, vice Master *dec.*, is confirmed as a temporary arrangement—6th L. C. Cornet J. A. D. Fergusson to be Adj. Asst Surgeon T. Sibbald is directed to accompany and to afford medical aid to the Public Establishments attached to Army Head Quarters under orders to proceed by water to Allahabad on 10th August—19th regt N. I. Ensign P. D. Warren to be Lieut. from 23d July, 1836, in the room of Nuthall *dec.*—40th regt N. I. Ensign C. E. Burton to be Lieut. from 5th July 1836, in room of Ritso *dec.*—Lieut. R. R. Martin Asst to Captain G. Thomson to be Executive Engineer in Arracan, vice Master *dec.*—Lieut. S. Pott, at present Asst in the 3d division of Public Works to be Asst to Captain G. Thomson Supert of the New Road to Benares, vice Martin—The regl order appointing Ensign A. J. W. Haig to act as Adj. to 24th regt N. I. during the indisposition of Lieut G. E. Van Heythuysen is confirmed—The division order appointing Asst Surg J. B. Macdonald 3d L. C. to the med. charge of 27th regt N. I. is confirmed—Lieut J. A. Mouat is removed from 12th and appointed an Asst to the Executive Engr. of 8th division Department of Public Works—Ensign T. E. Colebrooke, 13th regt N. I. to be Adj. to Hurrianah L. I. and to proceed to Hansi—17th regt N. I. Lieut R. J. H. Birch to be Capt—Ensign J. Sandeman to be Lieut. from 20th March, 1836, vice Wood *dec.*—59th regt. N. I. Ensign H. M. Barwell to be Lieut. from 22d July, 1836, vice East resigned—Captain P. Grant, 59th N. I. to be Commandant of Hurrianah L. I. batt—Asst Surgeon R. J. Brasseley is appointed to the medical duties of the settlement of Malacca, vice Stephenson to Europe—Lt. C. B. P. Alcock to officiate for Captain Warlow as Executive Engineer of the Delhi division department of Public Works during his absence or until further orders



**REMOVALS AND POSTINGS**—Cornet R. Boulton to 7th regt N. I. Asst. Lushington dismissed.—Captain J. C. Douglas Asst Adjt General of division posted to the Benares division.—Ensign J. J. Mackay to do duty with 24th regt N. I.—Ensign H. N. Raikes to do duty with 4th instead of 67th regt N. I.—1st Lieut A. Humfrays from 4th comp. 6th batt to 1st troop 2d brig H. A.—1st Lieut J. D. Shakespear from 2d troop 2d brig H. A. to 4th comp. 6th batt.—Ensign B. Wardroper is remanded to 6th regt N. I. as 3d Ensign next below Ensign B. Cary.—Ensign G. H. Whistler removed from the 8th to the 72d regt N. I.—Ensign S. W. R. Tulloch from 23d to 22d regt N. I.—Ensign T. G. Loith, from 37th to 64th regt N. I.—Ensign R. Thompson, from 68th to 31st regt N. I. next above Ensign C. F. M. Mundy.—Ensign G. A. F. Hervey from 31th to 3d regt N. I.—Ensign J. Turner, from 2d to 51st regt N. I. next above Ensign C. A. Hepburne.—Ensign R. Renny posted to 47th regt N. I.—Ensign G. A. Brett to 41st regt N. I.—Ensign M. W. Tytler to the 23d regt N. I.—Ensign H. Strachey to 66th regt N. I.—Ensign C. R. Larkins to 20th regt N. I.—Ensign E. W. Hicks to 72d regt N. I.—Ensign J. C. Brooke to 63d regt N. I.—Ensign H. C. James to 32d regt N. I.—Ensign J. Inglis to 15th regt N. I.—Ensign W. H. Larkins to 2d regt N. I.—Ensign R. M. Franklin to 40th regt N. I.—Ensign C. Gordon to 74th regt N. I.—Ensign W. C. Forrest to 71st regt N. I.—Ensign H. Stein to 68th regt N. I.—Ensign G. S. Mackenzie to 22d regt N. I.—Ensign F. Shuttleworth to the right wing European regt.—Ensign A. Campbell to 58th regt N. I.—Ensign W. R. Hillerston to 53d regt N. I.—Ensign A. D. Caulfield to 62d regt N. I.—Ensign G. Baillie to 5th regt N. I.—Ensign S. Beaufort to 42d regt N. I.—Ensign J. Plunkett to 6th regt N. I.—Ensign H. F. Dunford to 59th regt N. I.—Ensign J. D. Lander to 37th regt N. I.—Ensign C. A. Jackson to 31st regt N. I.—Ensign W. J. H. Charteris to 45th regt N. I.—Ensign H. J. Houston to 8th regt N. I.—Ensign T. Pownall to 39th regt N. I.—Ensign C. Reid to 27th regt N. I.—Ensign G. G. Bowring to 47th regt N. I.—Ensign E. T. Dalton to 33d regt N. I.—Ensign A. W. Onslow to 41st regt N. I.—Ensign A. H. Kennedy to 1st regt N. I.—Ensign G. Uday Law to 28th regt N. I.—Ensign T. B. Hamilton to 23d regt N. I.

**PREPARING TO RETIRE FROM THE SERVICE**—Captain J. T. Kennedy, 11th

regt N. I.—Captain N. Stewart 72d regt N. I.—Surgeon W. A. Venour.

**QUALIFIED IN THE NATIVE LANGUAGES**—Ensign W. F. Hummersley.

**FURLONGHS**—Lieut. W. St. L. Mitchell—Lieut A. H. Shepherd (prep.)—Lieut. J. French (prep.)—Lieut. W. H. Rickards—Captain G. W. J. Hickman. to Singapore and China—Lieut. A. C. Rainey to China—Lieut. C. Hutton (prep.)—Lieut F. C. Milner (prep.)—2d Lieut. G. H. Fagan to sea—Lieut R. M. Hunter—Asst Surgeon D. A. Macleod—Brigadier J. N. Smith—Cornet R. T. Knox—Lieut J. R. Flower—Lieut. J. C. C. Gray—Lieut. F. Jeffreys—Asst Surg. W. Stevenson, senior.

#### GENERAL ORDERS.

**Court-Martial on Lieut.-Col. Denme.**—Head Quarters, Calcutta, 15th July 1836.—In compliance with instructions received from the General commanding in chief, his Excellency the Commander-in-chief in India is pleased to direct the publication of the following extract from the proceedings of a general court-martial assembled at Cawnpore, on the 5th Dec. 1831, for the trial of Lieutenant Colonel Denme, his Majesty's 13th light infantry:—At a general court-martial, held at Cawnpore, on 5th December, 1831, and following days, Lieut.-Colonel William Henry Denme, C. B., of the 13th regt. light infantry, was tried on the following charges; viz.,—1st Charge.—With having, at various periods, since the arrival of the 13th light infantry at Agra, in the month of January, 1832, and since his assuming the command thereof, clandestinely, and without leave, absented himself from his corps and station and remained so absent on each and every occasion for several days together, but more particularly in the following months; viz.,—In the month of March 1832. In the month of May or June, 1832, and when he proceeded to the station of Meerut. In the month of August, 1832, and when he proceeded to the station of Meerut. In the month of October, 1832, and when he proceeded to Baboo Ghur, in the vicinity of Hauper. In the month of November, 1832, when he proceeded to the station of Meerut. 2d Charge.—For never having, on any one occasion of such unauthorised absence, handed over, or caused to be handed over, the command of the regt. to the next senior officer, thereby leaving the corps at various periods and for many days together without a commander, and throwing the whole responsibility, burden, and detail of so



serious and sacred a charge upon me, as Adjutant of the regiment. 3d Charge.—For having repeatedly, since assuming the command of the 13th Light Infantry at Agra, signed in blank and obliged me to submit in such form for his signature, the whole of the monthly and other returns of the regt. in order that his departure for Meerut, on the occasions when he had obtained leave to proceed to that station, might not be delayed, till such period as the returns were completed and ready for signature, 4th Charge.—For having, on all such occasions as are set forth in the foregoing charge, subscribed to a wilful and gratuitous falsehood, by affixing his signature to the certificate in the monthly returns, wherein he stated: "I certify that all parts of this return have been carefully examined, and have been found to be correct," whereas he, the said Lieut.-colonel, well knew at the time that the returns so signed were signed in blank. 5th Charge.—For having repeatedly, when about to leave his corps without leave, signed in blank such returns of the regiment as might be required during such absence, and affixed his signature to blank sheets of foolscap paper and envelopes of letters, directing me to conduct the duties of the regiment during such unauthorized absence, and to reply to all letters that might be received, and to write such as the exigencies of the service might require on the blank sheets of paper bearing his signature, and left for such purposes; a deep deception being thereby practised on his superiors, and an unprecedented and unheard of duty imposed on me, the Adjutant of the regiment. 6th Charge.—For having, on several occasions, when he had obtained leave of absence to proceed to Meerut, made false reports of the date of departure to the Brigade or acting Brigade Major of Agra. 7th Charge.—For leaving in my possession, on such occasions of unauthorized absence, reports of departure bearing various dates, the which I was directed to use and transmit to the Brigade or acting Brigade Major of Agra, as occasion might require, or whenever his absence might be discovered, or suspicions thereof entertained, thereby practising a deep deception on his superiors. 8th Charge.—For having repeatedly, when he has left the head quarters of the regiment on leave to Meerut, failed to hand over the command of that corps to the next senior officer prior to his departure, and leaving directions with me not to notify the same

to the corps in regimental orders till such time as suspicions of his absence might be entertained, or circumstances rendered it necessary: the regiment thereby being left at different periods for one and two days without a commander and the corps being thus handed over, when he, Lieut.-colonel Dennie, had in all probability reached the station of Meerut. 9th Charge.—For having, in the month of March 1833, when on duty at Muttra, and after such duty had been performed, in place of returning to his regiment at Agra, clandestinely and without leave proceeded from Muttra to the station of Meerut, and absented himself for several days from his corps and station under false pretences. 10th Charge.—For having, in the month of April 1833, proceeded to Meerut without leave, and in anticipation of the leave for which he had applied, which leave in fact had never been granted, or if sanctioned, was unknown, and never notified to the Commandant of Agra. 11th Charge.—For having, in the month of April 1833, when leaving Agra for Meerut without leave, addressed a letter to Colonel Sale, C. B., the Commandant of Agra, falsely stating, that he had obtained the Major General's sanction to proceed on leave to Meerut, and further falsely stating, that such leave was enclosed, he, Lieut. colonel Dennie well knowing at the same time that no such leave had arrived. 12th Charge.—For permitting to be worn by the officers of the 13th light infantry, and wearing himself an undress uniform, not sanctioned by his Majesty's regulations, and which uniform had been strictly prohibited by his Excellency General Sir Edward Barnes the late Commander-in-chief of the Indian army, in a letter dated head quarters, Simla, 22d June, 1832, from the Assistant Adjutant General of his Majesty's forces, the same being in reply to a communication addressed by Lieut.-colonel (then Major) Dennie, to the Adjutant General of his Majesty's forces, forwarding complaints and remonstrances from Lieutenants Hayelock and Keating, of the 13th light infantry, on the subject of the dress about to be established by the said Lieut.-colonel Dennie, and which dress, notwithstanding the strict and prohibitory orders of Sir Edward Barnes to the contrary, has been introduced, and is now worn by the officers of the 13th light infantry; such conduct on the part of Lieut.-colonel Dennie evincing an utter and public contempt for the orders of his superiors, the which were promulgated to the regiment,



in regimental orders of the 27th June, 1832. 19th Charge.—For having stationed at Meerut, and kept there from the month of November 1832 to the month of June 1833, or for some time between those periods, "Shaick Soobraty," a regimental bazar choupassee, and employed him the said "Shaick Soobraty," in his Lieut.-colonel Dennie's private service. 14th Charge.—For falsely returning, or causing, or knowingly permitting to be returned in, and borne on the monthly rolls of the Quartermaster's establishment, between the month of November 1832 and the month of June 1833, or for some time between these periods, as "present on duty," or "with leave," or otherwise improperly accounted for "Shaick Soobraty," regimental bazar choupassee, he, the said Lieut.-colonel Dennie, well knowing that the said "Shaick Soobraty" was not detached on public duty, but engaged in his, Lieut.-col. Dennie's private employ. 15th Charge.—1st count. For having, on or about the 21st day of August, 1833, transmitted to the Adjutant General, his Majesty's forces, an account, or statement of account, the same purporting to be a true and faithful statement of the regimental canteen fund, with its receipts and disbursements from its first establishment in the year 1830 to the 30th June, 1833, whereas he, the said Lieutenant Colonel W. H. Dennie, C. B., well knew at the time, that the whole of the accounts of the canteen fund, since the period of his assuming the command of the regiment at Agra, had been altered and revised in the month of August 1833, by his orders and directions, in consequence of a circular letter received from the Adjutant General of his Majesty's forces, calling for a statement of the canteen fund of the regiment. 2d count.—Further, in having in the month of August 1833, without the knowledge of the officers composing the canteen committee, erased or ordered to be erased, from the accounts of the canteen, several items to the amount of 1,500 rupees (St. Rs. 1,500) or thereabouts, and which had, at various periods, since the month of January 1832 been charged to the said account, by his, Lieutenant Colonel Dennie's orders and directions and under his signature, notwithstanding such statement of the receipts and disbursements of the canteen fund had been signed monthly as correct by the officers composing the committee, and countersigned by him, the said Lieutenant Colonel Dennie, C. B., as commanding officer of the 13th light infantry. 16th charge.—For having, in a

letter under date the 21st August 1833 to the address of the Adjutant General his Majesty's forces, stated that his, Lieut.-colonel Dennie's absence at Meerut was the cause of the delay in the transmission of the canteen fund accounts; such assertion being an equivocation of truth, he, the said Lieut.-colonel W. H. Dennie, well knowing that the true cause of delay in the transmission was the alterations in the accounts, which he from time to time had directed, after the receipt of the Adj-Genl's letter, 17th charge.—For evincing a total disregard for the exercise of his command of the 13th light infantry, in the following instances; viz.—1st. For seldom or ever visiting the hospital, barracks, or regimental school. 2d. For seldom or ever attending the parades of his regiment. 3d. For absenting himself on certain occasions from the parade of the regiment, when corporal punishment was to be inflicted, a period, above all others, when his presence as commanding officer was imperatively called for and required; and directing the next senior officer to see the punishment carried into effect. 18th charge.—For permitting Lieutenant and Brevet Captain Havelock, 13th light infantry, to wear an undress uniform, different to that worn by the other officers of the regiment, and not venturing to reprimand that officer for appearing in such costume, or to insist on his assuming the undress worn by the other officers, he, Lieut.-colonel Dennie, well knowing that he could not do so, from the circumstances of the dress worn by the other officers being strictly prohibited by the late Commander-in-chief, Sir Edward Barnes, in consequence of the representation of Lieutenant and Brevet Captain Havelock, as also, it being a direct violation of his Majesty's regulations and orders. 19th Charge.—For having, in a body of charges preferred by him, Lieut.-colonel Dennie, against me, wherein he accused me "with having, on the 4th August 1827, drawn in favor of Messrs. Havell and Son, merchants, Dinapore, a bill for £150 sterling, on J. S. Brownrigg, Esq. not having funds to meet the same," falsely and maliciously charged me with not having liquidated the said debt up to the period of my being placed in arrest; viz. 23d October 1833, whereas, on the contrary, the said debt had been paid and discharged as far back as the month of August 1828. 20th Charge. For having, in a body of charges preferred against me, bearing date the 24th day of October 1833, without any just grounds



or legitimate plea, and with a malicious intent, inserted a charge to the following effect: "Having given a bill in favor of Quartermaster Sheridan, 13th light infantry, drawn at Dinapore, on the 4th August 1829, on General Sir Robert Brownrigg, which was dishonored, not having funds to meet the same, and which remained unpaid till the day of his being placed in arrest; viz. 23d October 1833." The circumstances attending the dishonoring the bill in question, having been at the time satisfactorily explained to Colonel Sale and Quartermaster Sheridan, the parties concerned and interested in the transaction. 21st Charge.—1st count.—For having preferred as accusations against me certain alleged pecuniary transactions with the following non-commissioned officers of the 13th light infantry; viz.—Quartermaster Serjeant William Davies, Schoolmaster Serjeant Nicholas O'Neil, Pay-Serjeant John Howley, and the late Serjeant James Lake, which had been settled and disposed of two years and a half previous by Colonel Sale, C. B., then commanding the regiment, endeavouring thereby maliciously to injure my character. 2d count.—For having grossly and falsely misrepresented to the Commander-in-chief, in a letter, some of the circumstances alluded to in the foregoing charge, and as set forth in the fifth charge as a body of charges as preferred against me by the said Lieut.-colonel Dennie, under date the 24th Oct. 1833. 3d count.—For having in a letter under date the 18th Jan. 1834, to the address of the Deputy Judge Advocate General of the Meerut division a copy of which was forwarded to the Adjutant General his Majesty's forces, on or about the 24th day of January 1834, shamefully and grossly calumniated my character, making use of the most offensive language, falsely turning the alleged transactions, as decided on by Colonel Sale, offences "of a scandalous and infamous nature," and my conduct "incorrigible and disgraceful." 4th count.—For having in the aforesaid letter further falsely stated, and "Lieutenant Brownrigg having been termed a swindling villain," by Colonel Sale, in presence of soldiers of the regiment, "it becomes a question whether he had power or prerogative to deal with those offences;" such expression as attributed to Colonel Sale by the said Lieut.-colonel Dennie, never having been uttered or made use of by Colonel Sale, and such accusations and statements as advanced by Lieut.-colonel Dennie, being false and most injurious to my

character and reputation. 22d Charge.—For having, after he had placed me in arrest on the 23d of October 1833, clandestinely questioned or caused to be otherwise examined the following or some of the following non-commissioned officers, soldiers, and others of the 13th light infantry, to wit: Colour Serjeant E. Tobin, Serjeants James McCartney and Thomas Brice, Corporal S. Varley, Private Thomas McCarthy, John Milligan and John Howley, and Mrs. Ireland, ~~and~~ Mrs. Donovan, widow of the late Serjeant E. Donovan, as to the fact of my having had pecuniary transactions with them, as well as with the late Serjeant Donovan, asking some "if they had not lent me money, or if I owed them any?" falsely and frequently accusing others with having lent me money, and persisting in such false accusations, although repeatedly assured, "they were without a shadow of foundation," tampering with some of them, more particularly Private Thomas McCarthy, thereby encouraging and inviting false accusations against me, and by the adoption of such measures subjecting me to the most unjust and degrading suspicions. 23d Charge.—For speaking of me, in presence of officers, non-commissioned officers, soldiers, and others of the 13th light infantry, in a strain of language tending to lower me in the estimation of the corps, falsely accusing me of the most degrading and criminal transactions, thus creating disrespect and inculcating dissatisfaction in the minds of officers and men, and by his false and scandalous assertions, giving circulation to calumnious reports against me, tending to my degradation, and calculated to lower me in the estimation of society. 24th Charge.—For holding out threats of punishment to some, and hopes of reward to others, both non-commissioned officers and soldiers of the regiment under his command; viz. Privates Michael Kelly, William Scott, John Howley; Serjeants R. Snook, N. O'Neil, and the late Serjeant James Dawson, who were to be adduced as evidences against me, and some of whom were brought forward, thereby attempting to tamper with his evidence. 25th Charge.—For having, on or about the 3d day of April 1834, sent for Private (then Serjeant) Henry Haslem, the soldier who had been employed by me to take down the proceedings of the court-martial, before which I was arraigned, and enquiring of him as to when and how often, while living in my compound, he had seen come to my bungalow a soldier of the name of Kelly, who, it appears, had preferred a com-



plaint against Lieut.-colonel Dennie to the Commander-in-chief, and which complaint was, at the time, a subject of enquiry before a regimental court-martial, thereby subjecting me to the most false and unjust suspicions, and, in fact, publicly and falsely accusing me with having instigated, or been instrumental in instigating the said Michael Kelly to prefer the complaint that was then the subject of investigation. 26th Charge.—For having, between the 23d October 1833, after having placed me in arrest, and the month of March 1834, at balls or parties given by the non-commissioned officers and soldiers of the 13th light infantry, there attended, dancing with, and permitting the officers of the regiment to dance till a late hour with the wives and children of the non-commissioned officers and soldiers of the regiment, introducing a system before unknown and unpractised in the 13th light infantry, the same being subversive of good order and military discipline; and from the frequent and familiar intercourse it caused between officers and men, destroying or tending to destroy that respect and subordination which the soldier should ever entertain and evince for his officer. 27th Charge.—1st count.—For being indebted, from about the month of June 1833, or some time previous, to Private John Milligan, of the 13th light infantry, and to Jane Milligan, his wife, in various small sums of money, for work done by the said John Milligan, and Jane Milligan, his wife, for the said Lieut.-colonel Dennie; C. B., and which sum or sums of money was due and unpaid on the 23d August 1834. 2d count.—For being indebted in the years 1832 and 1833 to Private John Milligan in the sum of 22 rupees or thereabouts, for work done by that soldier for him, the said Lieut.-col. Dennie neglecting to pay that soldier for a considerable period; viz. up to in or about the month of June 1833, subjecting himself in the month of July 1832 to be treated with disrespect and insubordination by that soldier, when he demanded payment of the bill that was then due, and had been so long due by the said Lieut.-colonel Dennie; C. B. 3d count.—For having, in the month of July 1832, in addition to the punishment of ten days' heavy marching drill and dry room, as ordered to be inflicted on the said Private John Milligan by the said Lieut.-colonel Dennie, for the alleged disrespect and insubordination as set forth in the foregoing count, caused the whole of the said Private John Milligan's tools and articles appertaining to the

trade he had followed prior to enlistment, and which trade of bookbinder he worked at during his leisure hours subsequent to enlistment, to be seized and taken from him, with a view to his being prevented working any more at his trade or calling; such conduct being unjust and oppressive towards the said Private John Milligan, and an abuse of authority in him, the said Lieut.-colonel, as an officer commanding a regiment. 28th Charge.—For being indebted for a length of period, from about the month of June 1832, to the regimental school of the 13th light infantry, for work done by the children of the regiment, for him, the said Lieut.-colonel W. H. Dennie, or for others by his orders, and not having liquidated the same up to the 23d Aug. 1834; such conduct and proceedings on the part of the said Lieut.-colonel W. H. Dennie, C. B., being cruel and oppressive towards me, most hurtful to my character, and tending to weaken and destroy that respect and obedience, which should exist in the mind of every soldier towards me, as Adjutant of his Majesty's 13th light infantry, and as an officer holding his Majesty's commission, and also being unbecoming the character of an officer and a gentleman, derogatory to the character of an officer commanding a regiment, evincing a gross and total disregard for its interests and highly prejudicial to military discipline. (Signed) W. M. BROWN RIGG, Lieut.-Adjutant, 13th light infantry.—Upon which charges the court came to the following decision: The court having duly deliberated upon the charges before it, came to the following opinion:—That of the 1st charge the defendant is not guilty—That of the 2d charge he is not guilty—That of the 3d charge he is not guilty—That of the 4th charge he is not guilty—That of the 5th charge he is not guilty—That of the 6th charge he is not guilty—That of the 7th charge he is not guilty—That of the 8th charge he is not guilty—That of the 9th charge he is not guilty—That of the 10th charge he is not guilty—That of the 11th charge he is not guilty—That of the 12th charge he is not guilty—That of the 13th charge he is not guilty—That of the 14th charge he is not guilty—That of the 15th charge he is of each count not guilty—That of the 16th charge he is not guilty—That of the 17th charge he is not guilty—That of the 18th charge he is not guilty—That of the 19th charge he is not guilty—That of the 20th charge he is not guilty—That of the whole of the four counts of the 21st charge he is not guilty—That of the 22d charge he is not guilty—That of



the 23d charge he is not guilty—That of the 24th charge he is not guilty—That of the 25th charge he is not guilty—That of the 26th charge he is not guilty—That of the whole of the three counts of the 27th charge he is not guilty—That of the 28th charge he is not guilty. The court having found the defendant Lieut.-col. W. H. Dennie, C. B., of his Majesty's 13th light infantry, not guilty on each and every charge, does fully and most honorably acquit him of the whole and every part thereof; and further, the court considers that these charges are throughout frivolous and vexatious.—Remarks by the Court: The court having thus fully and most honorably acquitted Lieut.-colonel Dennie, C. B., of all the several charges of which he has been arraigned, and having declared them frivolous and vexatious, and considering them brought forward from motives of personal malice, and consequently in no way for the benefit of the service, feels itself called upon to express an opinion, which in its regard for that feeling of subordination and discipline, on which the honor and credit of his Majesty's service must ever depend, it is bound to record. The court having given their patient attention to the investigation of these twenty-eight charges, some of them of several counts, preferred by the Adjutant of the regiment against his commanding officer, avowedly to revenge himself for the consequences of public condemnation for gross misconduct, which that commanding officer was compelled by a sense of duty and proper regard for the discipline of his regiment to notice. The delay in the promulgation of the sentence on Lieut. Brownrigg, for a period of nine months, has added to the anomalous position of the court, as in the midst of its proceedings, the prosecutor, who had been cashiered, became the informant. The court regrets that some previous enquiry had not been entered into, as to the validity of those charges, and the means of establishing them; had such taken place, the discipline of the service would have been spared the shock which, in the opinion of the court, it is likely to sustain from the unprecedented circumstances of twenty-eight charges being submitted to a general court-martial, without sufficient evidence to establish any one of them. It is not within the province of this court to question the motives which induced this trial, but the lamentable results which it has already witnessed, and its fears of the further bad consequences of such a system of reprehensible litigation,

render it an imperative duty to record its opinion, that the result is injurious to the discipline and reputation of the army. The long period during which Lieut.-colonel Dennie, C. B., has been kept in most painful suspense and mental distress, could not but weigh with the court, had any necessity arisen for their lenity, and in promulgating their sentence of full and most honorable acquittal, they consider it but justice to express their deep regret that so distinguished an officer as Lieut.-col. Dennie, C. B., should have been subjected to so harassing and painful an ordeal in vindication of an honorable and untarnished reputation. Thursday, March 19, 1835.—The court, pursuant to instructions to that effect, met this day in the assembly rooms of Cawnpore, at 11 o'clock, a. m., for the purpose of revising its finding upon fifteen of the charges preferred against Lieut.-colonel Dennie, C. B., of his Majesty's 13th light infantry, as enumerated by command of his Excellency the Right Hon. the Commander-in-chief. The names having been called over by the Deputy Judge Advocate General, and the president and members, with the exception of the second on the list, Colonel Robert Arnold, his Majesty's 16th lancers, absent on leave from the station, being assembled, the Judge Advocate General produced and read the above-mentioned instructions, as conveyed to the court in a letter from Lieut. R. J. H. Birch, the Dep. Judge Advocate General, in charge of the Judge Advocate General's office, No. 100. and dated head-quarters, 5th of March 1835, and which letter is set forth in the appendix to the proceedings.—The court having fully weighed and reconsidered its former finding upon the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 16th charges, together with the observations thereupon submitted to it, in the Dep. Judge Advocate General's letter of the 5th instant, does hereby confirm the same, and sees no reason to cancel its remarks, and adheres to them.—Which finding of the court is confirmed by Lieutenant General the Hon. Sir R. W. O'Callaghan, K. C. B., &c. &c.—By his Excellency the Commander-in-chief in India:—in making known to the army the foregoing finding and sentence of this court-martial, his Excellency the Commander-in-chief in India, has to communicate the sentiments of the General commanding-in-chief his Majesty's army, as expressed in the following paragraph of a letter, dated Horse Guards, 29th February, 1836:—"I have ob-



served with deep regret that the court, in the remarks which it has annexed to its finding of acquittal, has so far departed from the proper line of its duty as to arraign, in terms not to be mistaken, the conduct of the highest military authority in India, in directing the proceedings in question to be instituted against Lieut.-Colonel Dennie, which proceeding," his Lordship adds, "has a tendency to impair the discipline and good order of the service," and of which course of conduct his Lordship makes known his entire disapprobation.—By order of the Commander-in-chief, — (Signed) R. TORRENS Colonel, Adjt-Genl. H. M.'s Forces in India.

Head Quarters, Calcutta, 25th July, 1836.—1. A district Court-martial was recently held upon a private soldier of H. M.'s 13th L. I. at Kunnal, of which Court Major T. Chadwick, of the artillery was President, and the following officers were members:—Captain T. C. Squire, H. M.'s 13th L. I.; Captain R. A. McNaghten, 61st N. I.; Cornet G. Jackson, 4th L. C.; Captain R. Pattison H. M.'s 13th L. I.; Captain J. G. D. Taylor H. M.'s 13th L. I.; Ensign D. Rattray H. M.'s 13th L. I.—2. It appears (though not on the face of the proceedings, which would have been the proper place to have recorded the circumstance) that the president and court declined to receive evidence of the previous convictions of the prisoner under trial although such evidence was tendered by the prosecutor at the proper time, and in conformity to the 21st section of the mutiny act and 84th article of war.—3. Brigadier General Duncan, commanding the division, called upon the court to state their reasons for this deviation from the usual practice; and his call was responded to by a long argument, the object of which was to show that the right of receiving or rejecting such evidence is vested in the court, and that the court having already made up their minds to inflict on the prisoner the full measure of punishment, or nearly so, which the articles of war permitted they might use their discretion as to receiving or rejecting the further testimony offered.—4. These proceedings having been forwarded to his Excellency the Comm.-in-chief for his perusal; he was surprised at the doctrine advanced by the court, he therefore called for the opinion of the Judge Advocate General, who has given it to the following effect: 1st. That the option of offering, or not offering, evidence of previous convictions, rests with the same authority with whom rests the option of assembling the

court-martial.—2dly. That, supposing due and legal notice of an intention to lay such evidence before a court be given to the prisoner and to the court, the court has not authority to refuse such evidence (if in itself unobjectionable) or at their discretion, to dispense with the same.—5. His Excellency the Commander-in-Chief orders, that officers employed on courts-martial shall act on this decision, until otherwise instructed.—6. He desires, also that Major Chadwick, and any other officer who is hereafter placed in the position of a president of a court-martial will recollect, that there are authorities in every military division, whose duty it is to remove any doubts which may arise relative to the construction of a section of the mutiny act, or an article of war; and that when any doubtful point arises, it is preferable to refer that point to the officer who is responsible for the decision he gives, rather than to trust to any member of the court, however high an opinion may be entertained of his judgment or knowledge.

No. 150 of 1836.—The Right Hon. the Governor General of India in Council is pleased to direct, that the local allowances of an officer in his Majesty's service, removed from one regiment to another serving at a different Presidency, shall, up to the date of publication at the Station where he may be serving, of the General Order so removing him, continue to be discharged by the Government which has had the benefit of his services; provided that the local allowances so sanctioned be confined to those of the rank, in which, and the station where he was performing military duty, leaving any claim for difference of allowances to be adjusted by the Government of the Presidency to which he shall have been transferred under the rules there obtaining.—From the date when an officer shall be struck off the strength of a regiment under such order of removal, his local allowances will be claimable from his new Presidency, even should his Excellency the Commander-in-chief be pleased to order him to do duty for a further period at the one from which he is transferred, or to grant him leave of absence to remain there on private affairs; in the latter case, the period, during which those allowances are to be passed, being determined by the general regulations on the subject.

MARRIAGES.—June 25, Mr J. P. Roberts to Miss M. Martyr—27, Mr J. Nicholas to Miss M. Joseph—July 5, at Chandernagore, Mr P. Beaufort to Miss A. Antoine—15, at Mussoorie, A. H. H. Esq. H. A.



to Julia, 3d daughter of the Rev. G. Hagar—16, at Backergunge, J. B. Lewis, Esq. to Flora, daughter of the late M. de Silva, Esq.—21, at Mozafferpore, R. Taylor, Esq. to Martha, 2d daughter of C. R. Richardson, Esq. Tirhoot—26, at Meerut, Major E. E. Garstin, Eng., to Mary, daughter of Colonel Duffin, 2d Lt C—W. Mackenzie, Esq., to Frances, 4th daughter of the late F. Lascelles, Esq.—27, at Sulkea, Pubna, Lieut. J. Wemyss 44th N I, to Miss B. Driver—at Delhi, Serjt. J. Hill to Miss A. Foy—29, Mr E. Chinnery to Maria, youngest daughter of the late Pilot, J. Murray—Mr G. B. Hoff to Miss A. E. Ross—30, W. Scott, Esq. to Miss Conyers—Mr J. Pinaro, of Chandernagore, to Miss M. Saubolle, daughter of Dr. J. Saubolle—Aug 1, R. J. Dring, Esq. to M. M. Todd—2, A. E. Dobbs, Esq. to Elizabeth, eldest daughter of the late G. Chapman, Esq. of Kildare—5, at Dinapore, Asst Apothecary W. D. Salt, to Mrs S. Sally—8, at Allahabad, Mr J. Conlan to Miss E. Blythe—9, F. S. Ochme, Esq., to Miss L. M. Conyers—18, Captain C. H. Whiffen, commander of the bark, "Sumatra," to Mrs M. Fox, relict of the late W. Fox, Esq.—Mr W. Ray to Mrs Horsburgh—Sept. 2, at Serampore, Mr J. Rae to Miss E. Hogg—5, Lieut C. J. H. Pencau 58th N I, to Isabella, only daughter of the late J. Robeson, Esq.—13, Captain J. Graham 50th N I, to Miss L. Blackall—14, Mr C. R. Smith of the bark "Attaran," to Miss J. Hammond—15, J. Maxtin, Esq. to Cecilia, 2d daughter of the late J. R. Vos, Esq. M D.—20, Rev. W. Sturrock to Miss M. Fernie—22, Mr H. S. Ham to Miss E. H. Patton.

**BIRTHS.**—April 22, On board the "Robert Small," the lady of Lieut Hon. R. N. Powys 19th regt N I, of a daughter—June 3, at Mussoorie, the lady of S. M. Boulderson, Esq, C S, of a daughter—13, at Cawnpore, Mrs J. L. Turnbull of a daughter—at Simla, the lady of C. Scott, Esq, 27th N I, of a daughter still-born—at Delhi, the wife of Drum-major G. Concanon of a son—19, at Allahabad, Mrs L. Teyen of a son—25, Mrs F. Bolst of a daughter—26, Mrs B. Smith of a son—July 3, at Allahabad, the lady of F. O. Wells, Esq. of a son—9, at Palna, Mrs M. Hinton of a daughter—10, at Meerut, Mrs M. J. Athanas of a son—11, at Purneah, the lady of W. Duff, Esq. of a daughter—13, at Lucknow, the lady of Lieut W. Blackwood 59th N I, of a son—18, at Benares, the lady of Lieut W. Edwards of a son—19, at Benares, the lady of Captain C. J. Lewes of a son—

20, at Hazareebaugh, the lady of H. Routh, Esq. H M's 49th regt, of a son—22, at Futtighur, the lady of Lieut G. A. Tytler of a daughter—at Sultanpore, Oude, the lady of Major J. B. Smith 63d N I, of a daughter—23, at Kurnaul, the wife of Apothecary T. Bean of a son, who died—24, the lady of W. Prinsep, Esq. of a daughter—25, at Lucknow, the lady of Lieut G. C. Armstrong 47th regt of a son—at Seelpore, Mrs P. de Silva of a son—Mrs G. Hill of a daughter—at Mussoorie, the lady of W. J. Conolly, Esq., C S, of a son—at Agra, the lady of Captain D. Birrell Eur, regt, of a daughter—27, at Cawnpore, the lady of Capt. G. D. Roebuck 71st N I, of a son—29, the lady of R. Walker, Esq, C S. of a daughter—Mrs J. J. Marques of a daughter—at Saugor, the lady of Lieut J. Knyvett of a son—at Bhaugleypore, the lady of Lieut G. Newbolt of a daughter—30, at Moisingunge, the lady of Mr T. Savi of a son—Mrs W. Dickson of a daughter—31, Mrs W. H. Bolst of a daughter—Aug. 2, at Surbundy Factory, the lady of C. Gilmore, Esq. of a son—the wife of Mr J. De Cruz of a son—3, Mrs W. B. Carbery of a daughter—the lady of Captain F. W. Birch, Supert. of Police, of a daughter—Mrs G. Galloway of a son—the lady of H. T. Prinsep, Esq, of a son—4, the lady of Rev. J. Bowyer of a son—the wife of Mr R. J. Cardozo of a son—at Allahabad, Mrs W. Trotter of a son—5, Mrs G. A. Stapleton of a son—Mrs D. Thomson of a daughter—the lady of R. S. Humfray, Esq. of a daughter—Mrs J. Paul of a son—Mrs M. Gomez of a son—7, Mr. J. P. Dowling of a daughter—9, the wife of Mr J. de Santoz, senr., of a daughter—10, Mrs P. Victor of a son—at Sectapore, the lady of Dr. Nisbet 48th regt of a daughter—13, the lady of H. Torrens, Esq. of a daughter—14, at Dinapore, Mrs R. Maddocks of a son—the wife of Mr. H. Dupont of a daughter—15, at Agra, the lady of J. Bontein, Esq, 51st regt, of a daughter—17, the lady of G. D. B. Kirby Esq. of a son—18, Mrs J. Bell of a still-born son at Rungpore, the lady of T. A. Shaw, Esq, C S, of a daughter—at Neemuch, the lady of Captain R. Codrington, 49th N I, of a son—20, at Delhi, the lady of M. Richardson, Esq. M D, of a daughter still born—23, at Meerut, the lady of Lieut. H. D. A. Lucy H M's Buffs, of a daughter—at Hawal Baugh, the lady of Captain A. Abbott Art., of a daughter—26, at Kurnaul, the lady of Lieut J. C. Jones 61st N I, of a daughter—28, at Kurnaul, the lady of Major T. Chadwick, of a daughter—at Saugur, the lady of D.,



Foley 2d Local Horse, of a son—29, at Patna, the lady of E. H. C. Monckton, Esq. C S, of a daughter—at Moorshedabad, the lady of A. Jones, Esq. of a daughter still-born—30, at Deegah, Mrs F. Gray of a daughter—at Cawnpore, the lady of Captain M. Smith H.M.'s 16th foot of a son—31, Mrs J. Penney of a daughter—at Barrackpore, the lady of Ensign C. E. Goad 67th N I, of a son—at Benares, the lady of Captain Carpenter Madras N. I, of a daughter—Sept 1, at Deegah, the lady of F. Cardew, Esq. C S, of a daughter—the lady of R. Swinhoe, Esq. of a son—2, at Delhi, the wife of Conductor P. Irwin of a daughter—at Cuttack, the lady of E. Repton, Esq. C S, of a son—Mrs R. Lawler of a daughter—at Serampore, the wife of Rev. J. Leechman of a son—at Midnapore, the lady of Lieut A. Q. Hopper 24th regt, of a daughter—3, the lady of Mr. John Brown of a daughter—4, the wife of Mr J. F. Daver of a son—at Fattyghur, the wife of Lieut P. J. Chienc 24th regt N I, of a daughter—at Sultanpore, the lady of Captain G. A. Barber 8th L C., of a daughter—at Barrackpore, the wife of Quarterm. Serjt. Tilbury 41st N I, of a son—at Bogwangolah, Mrs C. Rose of a daughter—5, Mrs J. W. Peterson of a daughter—7, at Fattyghur, the lady of Captain J. T. Boileau, Esq. of a son—8, at Chittagong the lady of A. S. Annand, Esq. C S, of a daughter—at Delhi, the lady of Captain G. Burney 38th N I, of a son—9, at Cawnpore, the lady of Lieut G. Bristow 71st N I, of a daughter at Serampore, the lady of W. W. Baker, Esq. of a son—at Monghyr, Mrs. C. D'Oyly relict of the late J. F. D'Oyly, Esq. of a daughter—Mrs J. Carran of a daughter—10, the wife of Capt. T. Jones of a son—11, at Dinapore, Mrs R. R. Campbell of a daughter—at Cawnpore, the lady of Dr. J. Campbell of a daughter—Mrs A. Fleming of a daughter—at Barrackpore, the lady of Captain E. J. Watson of a daughter—12, Mrs R. S. Strickland of a daughter—13, Mrs W. K. Ord of a son—the wife of Mr. Z. Garrett of a son—14, at Kidderpore, Mr J. R. Altkin of a son—Mrs L. De Silva of a son—Mrs H. G. Statham of a son—15, the lady of Captain Cubitt Asst Secy. to Govt. of a son—17, at Serampore, the wife of D. P. Da Costa, Esq., of a son—the lady of E. Wilkinson, Esq. of a son—Mrs J. B. Plumb of a son—at Serampore, the lady of Mr T. E. Mullins of a daughter—18, the wife of Sub-conductor J. Ives of a son—at Chinsurah, the lady of M. T. Stephens, Esq. of twins—20, Mrs W. Reed of a daughter—the lady of

Captain R. H. Cockerell, R. N., of a daughter—21; at Alhipore, Lady Malkin of a son—22, the lady of J. Franks, Esq. of a son.

DEATHS.—May 30, at Sea, on board the "Eliza," J. N. Lyall, Esq.—June 7, at Kyook Phyoo, Lieut R. S. Master, Engr—9, at Cawnpore, Adele, daughter of W. Vincent, Esq—31, at Dacca, Mrs A. V. Cartier—30, at Mussoorie, Louisa, wife of Captain H. M. Graves, 16th N I—July 5, at Kyook Phyoo, Lieut G. F. Ritso, 40th N I—11, at Almora, Lieut-col. F. A. Weston of Invalids—at Fattyghur, Eliza, daughter of the late Major R. Skinner—12, at Delhi, the infant son of Mr. T. W. Collins—at Seharunpore, Mrs L. Doyle, wife of Serjt. N. Doyle—Mr. Philip Alexander—13, at Jubalpore, Margaret wife of Lieut F. W. Cornish—17, at Nudzuffghur, Louisa, wife of W. Vincent, Esq—18, at Lucknow, Ensign A. Blunt, 48th N I—the infant child of J. Bell, Esq—20, at Barrisaul, T. K. Spence, Esq. civil Asst Surgeon—22, Jane, child of H. Macqueen, Esq. 30th N I—23, at Pooree, Lieut R. C. Nuthall, 19th regt N I—Mr James Alexander—24, at Banda, Margaret, wife of Captain D. Simpson, 29th N I—On board the "Hibernia," T. J. C. Plowden, Esq. C S 25, Mrs J. Gregorie—Major T. Macan—26, Ensign R. H. Boddam, 50th N I—28, at Barrackpore, Emma, infant daughter of Lieut-col. T. Maddock—at Almora Olive, daughter of Lieut Glasfurd, Engr—at Berhampore, G. T. Mercer, Esq., late an Indigo Planter—29, Mr N. Davies—30, Mr G. Reed—31, George, infant son of R. Stewart, Esq.—Mr John Bell—Miss M. McEntie, daughter of the late P. McEntie, Esq.—Aug. 1, at Mhow, Serjt E. Sydney—Mr D. McAskill—2, at Mhow, Amelia, Mary Sydney—Mrs A. C. D'Craze—3, at Mussoorie, infant daughter of S. M. Boulderson, Esq—4, Mrs C. Mackay, lady of Rev. W. S. Mackay—Ross, eldest daughter of Mr P. Martinelli—At Allahabad, Henry, son of W. Lambert, Esq. C S—5, at Juggypore, infant son of M. E. E. Woodcock—at Delhi, Serjt J Reid—6, at Chandernagore, E. Coignard, Esq.—at Dum Dum, Francis, son of Serjt T. O'Connor James, son of Mr R. A. J. Roe—7, Rev. T. Reichardt—8, at Bhauglepore, Mons. C. D'Amboise—Mary, wife of Conductor T. Martin—Robert, infant son of J. H. Crawford, Esq—9, James, at Comercolly, Henry, son of E. R. Comer, Esq. Indigo Planter—12, infant son of Mr. G. H. Stapleton—13, Mrs F. Hamilton of ship "Mary Ann Webb"—19, at Meerut, Mr W. Warburton, jeweller—at Mussoorie,



Louisa, daughter of Dr. B. Macleod—20, at Bandorah, Luzia, widow of the late Mr V. Rodrigues—at Dinapore, Elizabeth, wife of Mr G. Creais—21, at Futtehpore, Rachael, infant child of Mr J. Rowe—22, at Chunar, Captain R. Menzies of Invalids—at Meerut, R. Blewitt, Esq, Patrolling Officer—at Hazareebaugh, Margaret wife of Serjt C. Kelly—21, at Cawnpore, Rose, eldest daughter of Mr J. L. Turnbull—25, at Mynpoorie, Lieut W. Lajford, 3d NI—27, at Cawnpore, Sophia, daughter of Captain W. Alexander, 5th LC—28, Margaret, wife of Serjt Major Laws—at Allahabad, Richard, infant son of Lieut Bush, 65th NI—29, Mrs Mary Ann Addy of Leeds, drowned whilst being removed from the wreck of the "Wind-sor"—31, at Meerut, Captain Arnold, H. M.'s 11th D—at Dinapore, the infant son of Mr T. Maddock—Sept. 1, at Suheswan, Mrs M. A. Pushong—4, Ensign J. H. Garrett, 30th NI—5, Mr. John Brown—Elizabeth, infant daughter of Mr R. Lawler—7, at Saugor, Isabella, wife of Dr. Foley, 2d Local Horse—9, at Cawnpore, Sally, wife of Mr J. Joyce, of Cawnpore—Emily, daughter of Ensign P. G. Cornish 10th NI—10, Mrs M. V. Murphy—11, at Chinsurah, Edward, son of Mr. P. Cocker—12, at Allahabad, the infant son of Mrs Ely G. Fraser—Mr R. Small, ship "Orient"—13, Aleon, eldest daughter of John Bell, Esq—Quarterm. Serjt C. Kelly—14, G. Aviet, Esq—15, Mr W. C. Edmond, 3d son of the late Rev. J. Edmond—16, P. G. Sinclair, Esq, Branch Pilot—17, Mr C. G. A. Derozio, 3d son of the late F. Derozio, Esq—18, Mrs A. Green—Miss A. Blenkin—the wife of Mr Z. Garrett—19, Edwin, eldest son of Mr R. Haviland—20, James, son of Mr Z. Garrett—Mrs E. Heron, wife of Captain R. Heron of ship "Rebecca"—21, the infant daughter of Mrs W. Reed—23, Harriet, wife of Captain T. Jones of ship "Resource"—One of the twin daughters of Mrs L. Mendes—Mr, W. Norton of the "Wind-sor"—24, Mr J. W. Evans.

(Supplement to Calcutta News.)

**CIVIL APPOINTMENTS.**—Sept 6, Mr C. R. Martin to be civil and session Judge of Hooghly—The appointm. of Messrs A. Littledale and A. Turnbull as Assts under Commr of Revenue and Circuit for div. of Baulah and Dacca transposed—14, Mr. R. Walker to act as Collector of Govt. Customs during the absence of Mr. C. C. Hyde on leave—Mr W. S. Palmer to act for Mr R. Walker as Salt Agent of 24 Pergunnahs and Jessore Agency—Mr C. Mackenzie to act for Mr W. P.

Palmer in charge of the Sulkea Salt Go-lahs—The Rev E. White to be District Chaplain at Patna, but continues to do duty as Chaplain at Barrackpore till further orders—13, Mr C. V. Trevor to act till further orders as joint Magistrate and deputy Collector of Jessore—Mr E. F. Woodcock to be an Asst under Commr of Revenue and Circuit of 14th or Moor-shedabad division—Mr R. M. Skinner to perform duties of Asst to Magistrate and Collector of Nuddeah as a temporary arrangement—15, Mr. A. F. Donnelly to officiate until further orders as Magistrate and Collector in the room of Mr Metcalfe, sick—Messrs H. J. Chippendale, A. Grant and J. H. Young on the Bengal Establishment to be respectively 1st 2d and 3d Commissioners for investigating claims of creditors of the late Ameer Singh, Rajah of Tanjore—16, Mr. H. P. James to be deputy Collector as well as Magistrate of Rungpore—Mr W. J. H. Money to be Magistrate and dep. Collector of Beerbhoom—Mr. C. T. Davidson to be joint Magistrate and dep. Collector of Chittagong—Mr F. B. Read to be ditto ditto of Purnea—Mr T. Sandys to be ditto ditto of Shahabad—Mr E. V. Irvin to be ditto ditto of Bhaugulpore—Mr W. Luke to be ditto ditto of Sarun—Mr M. S. Gilmore to be ditto ditto of Jessore—Mr. C. B. Quintin to be ditto ditto of Behar—Mr. A. C. Bidwell to be ditto ditto of Sylhet—Sept. 20, Mr J. F. G. Cooke to be Civil and Session Judge of Sylhet in the room of Mr C. R. Martin—Mr Cooke will continue to officiate as Civil and Session Judge of Dacca till further orders—Mr H. P. Russell to be Magistrate and Collector of Nuddeah, but will continue to officiate as additional Judge of Nuddeah till further orders—Mr. Asst Surgeon J. M. Brander, M. D. to perform the medical duties of the Civil Station of Bhaugulpore, vice Mr Asst Surgeon J. Innes, M. D.—Mr Asst Surg. R. B. Camberland to perform the med. duties of the Civil Station of the South div. of Cuttack, vice Mr Asst Surg. Brander.

**CIVIL APPOINTMENTS BY THE GOVT OF AGRA.**—Aug. 27, Mr. B. Taylor to act as Civil and Session Judge of Moradabad—Asst Surgeon J. G. Voss to medical charge of Civil Station at Jaunpore, vice R. J. Brassey—30, Mr J. C. Wilson to be joint Magistrate and deputy Collector of Cawnpore—Sept. 5, Mr. M. Smith to be an Asst under the Commissioner of Revenue and Circuit of 1st or Meerut division—7, Mr. W. De Routh to exercise the powers of deputy Collector and joint Magistrate of Bolunshaher—Maj.



J. Taylor Asst Commissary General at Meerut, to be deputy Postmaster Genl. at that station, vice Captain Heptenstall *vice*—10, Asst Surgeon A. Reid reappointed to med. charge of Civil station of Boolundshuhur—8, Mr G. Hunt to be Collector of Govt Customs at Agra.

#### GENERAL ORDERS.

Fort William, Legislative Department, 5th Sept. 1836. — Resolution. — As the period of eighteen months, during which the proprietors of shares in the Bank of Bengal possess the exclusive privilege of subscribing for the additional capital stock of that Bank, will expire on the 10th Sept, the Govr-Gen, in Council has taken into his serious consideration the constitution and the rules of that body. — His Lordship in Council is of opinion that many parts of the existing charter might with advantage, be altered: But he is unwilling without a previous reference to the Hon. the Court of Directors, to make any important change which can be deferred without serious inconvenience. — One change, his Lordship in Council conceives, the Government is bound in justice to make without delay. The maximum amount of Bank Stock which a single proprietor is allowed to hold, is a lac of rupees. If this rule be maintained, it is plain that those who are possessed of the largest quantity of the old stock will obtain no share whatever of the additional stock. The increase of the stock was supposed to be injurious to the old proprietors, and it is on that account that they have been allowed, by way of indemnification, to possess during a certain time an exclusive right of subscribing for the additional stock. The indemnification ought evidently to be proportioned to the loss. But if the present maximum be continued, the indemnification will be large to those who lose little, small to many who lose much, and nothing at all to those who lose most. His Lordship in Council has therefore determined at once to raise the maximum from a lac to a lac and a half. This measure will remedy the immediate evil. Whether it be desirable to have a still higher maximum, or to have any maximum at all, will be matter for future consideration. — His Lordship in Council, advertng to the change which has recently been made in the currency of these provinces, is of opinion that it is desirable that the capital stock of the Bank of Bengal, and every share of that capital stock, should be expressed in Company's rupees, and should consist of such a number of Company's rupees as will admit of ready computation. Under

any other circumstances, than those which at this moment exist, it would be impossible for the Government to make this alteration without compelling the existing proprietors either to purchase a greater quantity of stock than they might wish to hold, or to part with stock which they might wish to keep: and to use such compulsion would, in the opinion of his Lordship in Council, be inconsistent with due respect for public faith and the rights of property:—Happily, the mode in which the increase of the capital of the Bank has been effected, gives his Lordship in Council an opportunity, such as can never again offer itself, of effecting this desirable object. — The stock formerly held by private individuals amounted to 40 lacs of Sicca Rupees, and each share to 10,000 Sicca Rupees. — The additional stock, all of which will be taken by proprietors of the old stock, amounts to 20 lacs of Sicca Rupees. Every share of 10,000 Sicca Rupees will (by the addition of half a share which each holder of one share is entitled to subscribe for) be increased to 15,000 Sicca Rupees; and 15,000 Sicca Rupees are exactly equivalent to 16,000 Company's rupees. It appears, therefore, advisable to make, without delay, a change which is highly convenient; and which, if deferred till transfers have taken place, it will be impossible to effect without injustice. His Lordship in Council has determined to fix on 4,000 Company's Rupees as the amount of a single share of Bank Stock. This change will render it necessary to make a change in the distribution of the votes at general meetings of the proprietary body. His Lordship in Council thinks it desirable that every holder of a single share should have one vote. He also thinks it desirable that no person, whatever his stake in the Bank may be, should have a greater number of votes than seven, which is now the maximum. — His Lordship in Council has fixed the 1st of October for the realization of the subscriptions, and for the commencement of the new system. — His Lordship in Council has, therefore, been pleased to direct, that the following Draft of an Act be published for general information:—Act No. — of 1836.—1. It is hereby enacted that from the day of the passing of this Act any person may hold capital stock of the Bank of Bengal, to an amount not exceeding 1,50,000 Company's Rupees, and that any existing proprietor of stock of the said Bank may subscribe for additional stock of the said Bank in proportion to his interest, any restriction in the



charter of the said Bank contained notwithstanding.—2. And it is hereby enacted, that the sum of 70 lacs of Sicca Rupees, which is the increased capital stock of the said Bank, shall, on or before the 1st of October 1836, be made up by the Governor General of India in Council to the sum of 75 lacs of Company's Rupees.—3. And it is hereby enacted, that the said sum of 75 lacs of Company's Rupees shall, from the 1st day of Oct. 1836, be the capital stock of the said Bank, and shall be divided into 1875 shares of 4,000 Company's Rupees each.—4. And it is hereby enacted, that 275 of the said shares, numbered from 1 to 275 inclusive, shall be the property of the Governor General of India in Council on behalf of the East India Company, and that the remaining 1,600 shares numbered from 276 to 1875 inclusive, shall be the property of those persons who, on the said 1st of October 1836, shall be proprietors of the capital stock of the said Bank, and that every such proprietor, shall, for every sum of Sicca Rupees 3750 of the stock of the said Bank held by him, be entitled to one of the said shares.—5. And it is hereby enacted, that on the 30th of September 1836, the account of the profits upon the capital stock of the said Bank as consisting of 50 lacs of Sicca Rupees, divided into 500 shares, shall be wound up and a dividend declared; and that from the 1st of October 1836, the holders of the new shares of 4,000 Company's Rupees each, shall be entitled to share in the profits of the Bank in proportion to their interest, and that the first dividend on the said new shares shall be declared on the 1st of January 1837.—6. And it is hereby enacted, that if the subscription for any share shall not be paid upon or before the 1st of October, such shares shall become the property of the said Bank, and shall be sold for the benefit of the said Bank, and the price of such share shall be added to the profits of the said Bank.—7. And it is hereby enacted, that certificates shall be granted for the said shares of 4,000 Company's Rupees, each in the same manner in which certificates have hitherto been granted for shares of the capital stock of the said Bank, and that the said shares of 4,000 Company's Rupees each shall be registered, and shall be transferable and assignable in the same manner in which shares of the capital stock of the said Bank have hitherto been.—8. And it is hereby enacted, that the said shares of 4,000 Company's Rupees each may be subdivided into quarter shares of 1,000

Company's Rupees each; and that such quarter shares may be assigned, transferred, and reunited in the same manner in which fractional parts of shares of the capital stock of the said Bank have hitherto been assigned, transferred, and reunited.—9. And it is hereby enacted, that the proprietors of the capital stock of the said Bank shall from the 1st day of October, 1836, be entitled at their meetings, to vote according to the following scale:—1 share of 4,000 Company's Rupees shall entitle to 1 vote; 5 shares, 2 votes; 10 shares, 3 votes; 15 shares, 4 votes; 20 shares, 5 votes; 30 shares, 6 votes; 40 shares, 7 votes.

**MILITARY APPOINTMENTS. PROMOTIONS, CHANGES, &c. continued.**—Captain J. Graham 50th N I, to be 2d in command to Ramgurh L. I. batt and Lieut S. R. Tickle 31st N I, to do duty with same, corps—Engineers: 2d Lieut J. L. Sturt to be Adj. vice Highby—24th regt N I, Lieut T. Mackintosh to be Adj. vice Van Heythuysen resigns—Lieut W. Freeth 55th regt N I, to be Captain by brevet from 12th Sept. 1836—Captain J. Graham permitted to resign his appointment as 2d in command of Ramgurh L. I. batt—The division order directing Captain J. S. H. Weston to act as deputy Asst Adj. Genl of Meerut div. confirmed as a temp arrangement—The station order appointing Asst Surg. J. O. Dwyer to afford medical aid to 55th regt N I, during the absence of Surgeon E. T. Harpur on sick certificate confirmed—26th N I, Ensign T. H. Hunter to be Lieut, vice Lieut R. B. Lynch *dec.* to rank from 7th May 1835, vice M. Nicholson *dec.*—8th regt N I, Lt F. G. Backhouse, 68th N I, to act for Lieut H. T. Tucker of former regt during his absence on leave—Ensign J. Turton to be Lieut, vice W. Lyford *dec.*

**REMOVALS AND POSTINGS continued.**—Colonel G. Becher 7th to 4th regt L C, Colonel T. Shubrick, new promotion, to 7th regt L C—Lieut-colonel W. S. Beatson, new promotion, to 7th regt L C—Surgeon W. Scott, on furlough, 31st to 67th regt N I—Surgeon J. Johnstone M. D. from latter to former corps—Asst Surgeon H. M. Tweddell 31st to 67th regt N I—Asst Surgeon B. Wilson on furlough, from latter to former corps—Lieut J. W. Robertson Executive Engineer, Saugor division, removed and placed at disposal of the Commander-in-chief.

**FURLOUNDS.**—Lieut T. W. Morgan (prep.)—Lieut J. H. W. Mayow (prep.)—Surgeon G. Harding (prep.)—Captain E. P. Gowan (to the Cape)—Lieut W



Smith (prep.)—Surgeon D. Campbell (prop)—Lieut D. Reil (pref)—Lieut A. G. F. J. Younghusband (prep)—Capt H. Robertson (prep) to the Cape—Capt A. Hodges—Lieut J. Fulton—Surgeon E. T. Harpur.

*INVALIDED.*—Major W. C. Oriel.

*QUALIFIED IN THE NATIVE LANGUAGES.*—Lieut L. P. D. Eld.

*GENERAL ORDERS.*

Head-Quarters, Calcutta, 8th August, 1836.—At a general court-martial assembled at Cawnpore, on Friday the 15th day of July 1836, Captain Mathew William Ford, Paymaster, his Majesty's 16th regt. of foot, was arraigned on charges as follows: Charge.—1st. For having embezzled the sum of Company's Rs. 39,869-10-5, more or less, the property of Government. 2d. For conduct unbecoming an officer and a gentleman, in having embezzled various sums deposited with him by officers, non-commissioned officers, privates and women, of the same regiment, and others, amounting to Company's Rs. 6,858-2-11, more or less. Upon which charges the court came to the following decision: Finding. The court having considered the evidence before them, and the prisoner's own admission of his guilt, are of opinion, that he, Captain Mathew William Ford, Paymaster of his Majesty's 16th regiment of foot, is—Guilty of the 1st count of the charges—Guilty of the 2d count of the charges. Sentence.—The court having found the prisoner guilty, as exhibited above, do sentence him, Captain Mathew William Ford, Paymaster of his Majesty's 16th regiment of foot, to be cashiered. The court further ascertain, that the exact sum embezzled by Captain Ford, the property of Government, is Company's Rs. 39,907-5-7, and that the exact amount of sums deposited with Captain Ford, and embezzled by him, is Company's Rs. 6,868-3-2. Approved, (Signed) H. FANE, General, Commander-in-chief, East Indies. Calcutta. 8th Aug. 1836.—The name of Paymaster Ford to be erased from the rolls of the regiment, from the date of the promulgation of the sentence at Cawnpore, which the officer commanding the 16th regiment will communicate to the Military Secretary to the Commander-in-chief, and the Adjutant General of his Majesty's forces in India.—By order of the Commander-in-chief, (Signed) R. TORRENS, Colonel, Adj. General of his Majesty's forces in India.

**Madras.**

*CIVIL APPOINTMENTS.*—July 22, Mr J. J. Cotton to be Asst to principal Col-

lector and Magistrate of Tanjore—Mr E. E. Ward to be Asst to principal Collector and Magistrate of Salem—Rev. H. Cotterill, B. A., to be a Chaplain at Fort St. George to do duty until further orders—25, Mr G. A. Harris to act as head Asst to Collector and Magistrate of Rajahmundry, during absence of Mr C. Dumergue—26, Mr F. Copleston to act as head Asst to principal Collector and Magistrate of Cuddapah, during absence of Mr Lovell, or till further orders, vice Mr Elton (on sick certificate)—August 2, Mr A. E. Angelo to act as Judge and criminal Judge of Cuddapah, during absence of Mr Strombom, or till further orders—9, Mr W. Dowdeswell to be Register to provincial Court of Appeal and Circuit for centre division, but to continue to act as Asst and joint criminal Judge of Guntoor, till further orders—Mr D. R. Limond to be Register to Zillah Court of Madura, vice Mr Dowdeswell—Mr H. A. Brett to act as Register to provincial Court of Appeal and Circuit for centre division, during absence of Mr Dowdeswell on other duty—16, Mr H. Morris to officiate as Police Magistrate, till further orders—19, Mr G. P. Dumergue to be an Asst to principal Collector and Magistrate of Canara, but to continue to act as 2d Asst to Accountant General, till further orders—Mr A. Hall to be an Asst to principal Collector and Magistrate of northern division of Arcot—26, Mr R. Davidson to act as sub-Collector and joint Magistrate of Madura, during absence of Mr Lockhart (on sick certificate) or till further orders—Mr F. H. Crozier to act as head Asst to Collector and Magistrate of Masulipatam, during absence of Mr Davidson, employed on other duty till further orders—30, Mr T. Prendergast, Asst and joint criminal Judge of Madura, delivered over charge of Aux. Court of Tinnevely to C. J. Bird, Esq., officiating joint criminal Judge on 25th August—Sept. 16, Mr J. Silver to be an Asst to the Collector and Magistrate of Tinnevely.

*MILITARY APPOINTMENTS, PROMOTIONS, CHANGES, &c., from 21st June to 20th Aug.*—34th L I, Senior Lieut L. McLeod to be Captain, and senior Ensign C. G. Pleas to be Lieut, vice Smyth resigned; date of com. 19th June 1836—Lieut R. D. Werge H M's 39th regt, to act as Aide-de-camp to Major-Gen. Sir J. F. Fitzgerald, K. C. B. commanding south div.; from 25th May 1836—Asst Surgeon O. Palmer to proceed to Masulipatam and hold medical charge of civil estab. at that station till further orders—Public Department, 1st Lieut H. A. Lake to act as Supert of



Roads at the Pres. in Public and Assem Departments, during absence of Lieut Henderson on sick cert., or till further orders—Revenue Depart., 2d Lieut L. E. O. Ludlow to act as 1st Asst to Civil Eng. 3d div., during absence of Lieut Best on other duty, and to join forthwith—32d regt N I, senior Ensign W. C. Western to be Lieut, vice West pensioned; date of commission 21st June 1836—Captain J. Wynch, Art. to act as deputy to principal Comm. of Ordnance, and Superintendent of Gun-carriage manufactory, during absence of Capt. Taylor or till further orders—Lieut W. H. Budd 31st regt L. I., and acting sub-Asst Com. General to be sub-Asst Com. General to complete estab., vice Doveton promoted—3d batt Art., 2d Lieut J. G. Balman to be Adj. vice Carruthers (*dec.*)—2d Lieut J. W. Goad to be Quarterm. and Interp. vice Balmain—Captain R. B. Fitzgibbon 5th regt L. C. will resume duties as Paymaster at Trichinopoly—The appointment of 2d Lieut L. E. O. Ludlow to act as 1st Asst to Civil Engr. in 3d division, is cancelled—2d Lieut J. Inverarity to act as 1st Asst to civil Engr. in 3d div., during absence of Lieut Best on other duty—2d Lieut L. E. O. Ludlow to act as 2d Asst to the civil Engr. in 3d div., during absence of Lieut Lake on other duty, or till further orders—6th regt N I, Brevet Captain L. McLean to be Capt., and senior J. Gompertz to be Lieut, vice Beaver invalided; date 5th July 1836—The promotions ordered per 17th Feb. and 21st July last, to Captain J. K. Macdonald and Lieutts. G. C. Cunine and F. H. H. Scott to be cancelled, and those officers to revert to the rank they would have held in the 8th L C, had Messrs. Humphreys and Prescott (as below) never been discharged—Captain E. A. Humphreys and Lieut R. Prescott 8th L C, restored to the Service—42d regt N I, senior Captain E. Macpherson to be Major—senior Lieut J. H. Zouch to be Captain, and senior Ensign H. O. Marshall to be Lieut, vice Nash *dec.*; date of commission 28th June 1836—Mr W. H. Baynes (recently arrived) as Cadet, and promoted to the rank of Ensign (Inf) leaving date of commission unsettled—Brevet Captain C. Dennett 24th regt. N I, permitted to resign the appointment of Quarterm. and Interp. to that corps—Captain B. Shee 47th N I, to the command of the British Detach. in Persia—To provide for the vacancies occasioned by the departure from Persia of Colonel Passmore and the appointment of Capt. J. Shiel as Secy. of Legation, Lieut G. P. Cameron 40th Mad. N I, and Lieut G.

Woodfall 45th M. N I, proceeding to Persia, are to do duty with the British detachment in Persia—The under-mentioned Cadets for Cav. and Inf., admitted and promoted to the rank of Cornet and Ensign, leaving dates of commission unsettled:—Cav., Mr H. F. Phillips—Inf., Mr M. Galway—Mr E. W. Boudier—Mr T. W. Stewart to be an Asst Surgeon, and to do duty under depot Surgeon at Poonamallee—Ensign Mockler, H. M's 20th regiment, to do duty with 31st regiment, till further orders—Senior Lieut-colonel J. Hackett to be Colonel, vice Macauley *dec.* date to be settled hereafter—Senior Major A. B. Dyce 4th N I, to be Lieut-colonel in succession to Hackett, promoted, date, &c. hereafter—4th regt N I, Senior Captain J. Stokes to be Major—Senior Lieut W. C. Chinnery to be Captain, and Senior Ensign J. M. Johnston to be Lieut, in succession to Dyce promoted, date of commission hereafter—24th regt N I Brevet Captain J. Shepherd to be Quarterm. and Interp. vice Dennett resigned—Ensign R. Wallace 34th L I, to do duty with 45th regt till further orders—The undermentioned recently arrived and promoted to do duty with 45th regt till further orders—Cornet H. F. Phillips 2d L C—Ensign M. Galway 6th regt N I—Ensign E. W. Boudier 45th N I—The undermentioned recently arrived and promoted to Cornets and Ensigns as follows—Cavalry, Messrs L. Barrow, C. Campbell, F. Napier, R. Hunter—Infantry, Messrs P. Ogilvy, G. D. Sausmarez, J. McVicar—8th regt L C, Senior Cornet G. Cumine to be Lieut, vice Cottrell *dec.*; date of commission 3d May, 1836—43d regt N I, Senior Ensign W. J. Wilson to be Lieut, vice Pereira *dec.* date of commission 5th May 1836—10th regt N I, Senior Ens W. H. Wapshire to be Lieut, vice Elliot invalided; date of commission 26th July 1836—Captain A. S. Logan, 33d N I, to be Asst Adj. Genl to the Nagpore subsidiary force vice Gunning (to Europe)—Lieut J. C. Fortesque, 1st N I, to be deputy Asst Quarterm. Genl to south division of the Army, vice Logan—Capt W. W. Baker, 32d regt N I, to be Fort Adj. at Cannanore, whilst his corps forms part of troops of that garrison—Cornet E. C. Curtis 1st L C, to continue to do duty with 3d L C, till 15th Oct. 1836, when he will join his regt—Captain G. Dunsmure, 8th L C, to take charge of young officers to do duty at Bangalore—Ensign W. J. Wilson, 43d foot. to act as Quarterm. and Interp. till further orders vice Maclean promoted—Surgeon W. R.



Smyth, A. B. to be Secy to the Medical Board, vice Fleming—Asst Surgeon G. Pearse, M. D. to medical charge of south east district and sick officers at St. Thome vice Smyth—Asst Surg. S. Rogers to be port and mar. Surg. vice Smith—W. Middlemass to temp. med. charge of south east dist. and sick officers at St. Thome, till the arrival of Asst Surgeon Pearse or till further orders—Asst Surgeon R. Cole to act as port and marine Surgeon till the arrival of Asst Surgeon S. Rogers or till further orders—Mr G. B. Stevens, Cadet of Infantry, to be Ensign, date of commission unsettled—Captain H. C. Cotton to act as Civil Engineer in 3d division during employment of Captain A. T. Cotton on other duty or till further orders—Lieut E. Cowie, H. M.'s 18th foot, to take charge of young officers recently arrived and posted to regiments serving with the Hyderabad and Nagpore subsidiary Forces—Ensign J. F. Erskine, 2d N I, to do duty with 27th regt till 1st Oct. 1836, when he will join his corps—45th N I, Lieut R. Crewe to be Adjt—50th N I, Senior Major J. W. Cleveland 38th regt to be Lieut-colonel, vice Rowley *dec.*, date of commission 20th July 1836—38th N I, Senior Captain W. J. Butterworth to be Major—Senior Lieut A. Harrison to be Captain and Senior Ensign W. Pollock to be Lieut in succession to Cleveland promoted, date of commission, 20th July 1836—Mr. W. Youngson, cadet, promoted to rank of Ensign, leaving date of commission unsettled—Surgeon S. Higginson, 13th N I, to proceed for Arcot and afford med. aid to 5th L C, till an opportunity offers for his joining his corps or till further orders—Asst Surgeon J. Supple, Garrison Surgeon of Masulipatam, to place himself forthwith at the disposal of the Surg. in charge of Field Hospital in Goomsoor—Senior Lieut A. R. Rose to be Captain, and Senior Ensign R. O. Gardner to be Lieut, vice Sewell, *dec.*; date of commission, 2d Aug. 1836—Captain Cramer to be Deputy Judge Advocate General to 8th district station Trichinopoly—Lieut McGoun, ditto, to 4th district station Vizagapatam—Ensign H. D. Abbott, 7th N I, to continue to do duty with 31st L I, till 31st October 1836, when he will join his regt—Lieut E. Baker, 32d N I, resigns appointment of Quarterm. and Interp. of that corps—52d N I, Ensign F. S. Gabb to be Quarterm. and Interp.—Asst Surgeon C. Ferrier, 4th L C, to afford medical aid to the troop of 3d L C, ordered to Goomsoor.

*Movements of Regiments.*—H M's

41st regt stationed at Arnee, to march from thence to Bellary to be there stationed—H. M's 56th regt to march from Bellary to Hyderabad to be there stationed—H M's 45th regt to march from Hyderabad to Arnee, prep. to its embark. for Europe—H M's 55th regt to march to Hyderabad in the month of Sept., to be replaced by 41st, at the same period the 45th to march for Arnee when relieved by the 55th—The following movements are ordered:—The F comp. of Golundaze Art, to march from St Thomas's Mount to Cannanore, to be there stationed—the A comp. of Golundaze Art, now stationed at Cannanore, to march from thence to St. Thomas's Mount when relieved, and to embark from the Straits, to be there stationed—the D company of Golundaze Art. when relieved in the Straits, to return to St. Thomas's Mount, to be there stationed—the C comp. of Golundaze Art. to march from Saint Thomas's Mount to Hyderabad, to be there stationed—the B. comp. of Golundaze Art. when relieved, to march from Hyderabad to Goomsoor, to be there stationed—The E. comp. of Golundaze Art. to march, when relieved, from Goomsoor to Madras, to be there stationed—2d regt L C, from Arcot to Trichinopoly—6th ditto, from Trichinopoly to Bangalore—8th ditto from Bangalore to Hyderabad—4th ditto, from Hyderabad to Arcot—10th regt N I, from Vizagapatam to Kamptee—49th ditto, from Berhampore to Kamptee—22d ditto Kamptee to Hyderabad—38th ditto, from Kamptee to Vellore—16th ditto, from Hyderabad to Berhampore—25th ditto, from Vellore to Hyderabad—17th ditto, from Madras to Berhampore—35th, ditto, from Trichinopoly to Madras—37th do., from Hyderabad to Ellore—43d ditto, from Ellore to Berhampore—41th ditto, from Northern div. to Penang—15th ditto, from Penang to Trichinopoly—32d ditto, from Cannanore to Bangalore—4th do, from Bangalore to Cannanore.

*Returned to Duty.*—2d Lieut A. C. Pears Art.—Lieut D. Archer—Lieut D. Pearson—Captain H. Prior—Captain T. B. Lucas—Lieut P. Shaw—Lieut M. Watts—Captain J. Clough 11th regt N I.—Major P. Montgomerie—Surgeon J. Wylie—C. Desormeaux—Captains T. Anderson 4th L C., W. P. Deas 6th L C.,—Lieut F. E. Miller 1st L C.—Captain J. Howison 6th N I, Captain G. Hutton 22d N. I.—Captain J. Hayne 36th N I.—Captain G. Dunamure 8th L C.—Lieut H. C. Beaver.

*Qualified in the Native Languages.*—



Lieut Austen 12th regt N I.—Lieut Whitty 7th regt N I.—Ensign Burton 42d regt.—Lieut O. D. Stokes—Lieut W. H. Budd 31st L. I.—Lieut W. B. Stevens Artillery—Ensign Gabb H. M.'s 52d regt.—Ensign Todd H. M.'s 42d foot.—Lieut C. H. Wilson H. M.'s 32d foot.—Lieut Oakes H. A.—Captain Longworth H. M.'s 9th foot.

*Invalided.*—Senior Asst Apothecary J. Anderson—Captain F. Daniell—Capt. J. N. Beavor—Lieut J. F. Elliot.

*Furloughs.*—Surgeon J. Brown—Asst Surgeon P. Poole—Major W. Low (prep.)—Asst Surgeon W. Macintosh—Brig. P. Cameron (prep.)—Ensign H. C. Taylor—2d Lieut J. Ouchterlony—Mr D. Birch, C S, (New South Wales)—Sir H. C. Montgomery, Bart.—Asst Surgeon H. Cheape—Captain J. Gunning (prep.)—Captain M. White—Lieut J. Forsyth—Captain F. B. Crosier—Lieut T. Austen, Artillery—Capt. H. T. Van Heythusen—Lieut B. H. Chapman—Lieut L. W. Croft—Major J. Nash—Lieut.-colonel J. Ogilvie (prep.)—Lieut J. C. Whitting (prep.)—Mr C. Dumergue—Cornet F. J. Carruthers—Brevet Capt. C. Dezznett—Colonel G. L. Wahab—Ensign G. H. S. Yates—Lieut C. P. Wilder (prep.)—Asst Surgeon A. Macintosh (to sea)—Asst Surgeon S. T. Lyall (to sea)—Lieut H. A. Tremlett—G. W. Sharp—Lieut S. Best (prep.)—Captain G. Barn (prep.)—Surgeon R. Anderson (prep.)

*Furloughs Cancelled.*—That of Lieut W. H. Welch, 26th N I, (to Europe).

*Transferred to Pension Establishment.*—Ensign E. Sellon, 4th N I—Lieut C. M. West, 32d N I.

*Retired from the Service.*—Captain J. W. Smyth, 34th L I—Captain T. C. S. Hyde—Captain J. T. Webb—Major M. C. Chase, date 9th November 1835—Mr E. Smelley, C S, from 18th May—Mr J. Daniel, C S—Captain E. Dyer, date 16th December, 1835—Captain C. Bradford, 11th January, 1836—Captain W. S. Hele, 5th August, 1835—Captain T. Sharp, 1st February, 1836—Lieut E. Ennor, 23d May, 1835.

**GENERAL ORDERS.**

Head-Quarters, Choultry Plain, 23d June, 1836.—The following extracts from the confirmed proceedings of an European general court-martial, holden at Fort St. George, on Monday the 6th of June, in the year of our Lord 1836, by virtue of a warrant from his Excellency Lieutenant General the Hon. Sir Robert William O'Callaghan, K.C.B., Commander-in-chief, are published to the Army. Captain Richard Beresford Fitz

Gibbon of the 5th regt, of light cavalry and Paymaster in the southern division, placed in arrest by order of the Commander-in-chief. Charge.—For scandalous, infamous behaviour, such as is unbecoming the character of an officer and a gentleman in the following instances. 1st Instance.—In having at Trichinopoly, on the night of the 10th of October, 1835, used indecent and unwarrantable liberties with the person of Private William Parrott, of his Majesty's 54th regiment of foot. 2d Instance.—In having at the same place, on the night of the 11th of the same month, used similar liberties with the person of Private James Marshall, of the same regiment. 3d Instance.—In having at the same place, on the night of the 13th of the same month, used similar liberties with the person of Private William Duffy, of the same regiment. 4th Instance.—In having at the same place, on the night last specified, used similar liberties with the person of Private John Criswell, of the same regiment. 5th Instance.—In having at the same place, on the night of the 28th of the same month, used similar liberties with the person of Private William Jones, of the same regiment. 6th Instance.—In having at the same place, on the same night, when accused of the offence last specified, and lodged a prisoner in the guard to which the above mentioned Private Jones belonged, effected his release by offering a bribe of 100 rupees, and leaving his ring in pledge for the same. 7th Instance.—In having at the same place, on the night of the 29th of January 1836, used similar liberties with the person of the Assistant Surgeon Robert Henry Rennick, of the Madras medical establishment, doing duty with his Majesty's 54th regiment of foot. 8th Instance.—In having at the same place, on the night of the 1st of Feb. following, used similar liberties with the person of Gunner Lloyd Henry Leach, of the 2d battalion of artillery. 9th Instance.—In having at the same place, on the 6th of April following, given a bribe of 200 rupees to Corporal William Thipthroe, of his Majesty's 54th regiment of foot, for the purpose of suborning him and the men of the guard, referred to in the 6th instance of charge, to give false evidence before a general court-martial, upon the trial of Gunner Leach. The above being in breach of the articles of war. By order, (Signed) T. H. S. CONWAY, Adjutant General of the Army. Fort St. George, 30th April, 1836.—The court having most maturely



considered the whole of the evidence adduced in support of the prosecution, as well as what the prisoner Captain Richard Barnard Pitts Gibbon of the 5th Regiment of light cavalry, and Adjutant of the southern division, hath advanced in his defence, and the evidence in support thereof, is of opinion: Finding on the 1st instance of charge—That the prisoner is not guilty of the 1st instance of charge. Finding on the 2d instance of charge—That the prisoner is not guilty of the 2d instance of charge. Finding on the 3d instance of charge—That the prisoner is not guilty of the 3d instance of charge. Finding on the 4th instance of charge—That the prisoner is not guilty of the 4th instance of charge. Finding on the 5th instance of charge—That the prisoner is not guilty of the 5th instance of charge. Finding on the 6th instance of charge—That the prisoner is not guilty of the 6th instance of charge. Finding on the 7th instance of charge—That the prisoner is not guilty of the 7th instance of charge. Finding on the 8th instance of charge—That the prisoner is not guilty of the 8th instance of charge. Finding on the 9th instance of charge—That the prisoner is not guilty of the 9th instance of charge. (Signed) JOHN DOVEYON, Brigadier General and President. (Signed) C. A. ROBERTS, Deputy Judge Advocate General, approved and confirmed. (Signed) R. W. O'CALLAGHAN, Lt. Genl., and Commander-in-Chief. Madras, June 23, 1836.

27th June, 1836.—The general court-martial, of which Major Wallace of the 40th Regiment of Native Infantry was President, recently assembled at Trichinopoly for the trial of Gunner Leach, being placed Captain Pitts Gibbon of the 5th light cavalry, the prosecutor, under close arrest on the assumption that he had suborned the evidence of witnesses then in course of examination, the Commander-in-Chief considered himself called upon thus publicly to censure the proceedings, as being manifestly in violation of the power vested in courts-martial by Art. XIX. Section XIV. of the articles of war. At the same time His Excellency held it but proper to the court to state his conviction that however mistaken as to the means they were, the witnesses were a duty to conscientiously to perform their duty, and maintain the truth. The present sentence is a result of the circumstances attending the case, and is not intended to reflect on the witnesses, or to subject the prisoner to any punishment in which the

court had placed him, did away with any inconvenience to which that officer might have been subjected, it became unnecessary for his Excellency to notice the circumstance at an earlier period, and he is now induced to do so, namely that officers employed on court-martial duty may be aware of the extent to which they are authorized by the Mutiny Act and articles of war to proceed in the punishment of persons appearing before them in any character but that of prisoner, for a breach of decorum committed towards the court.

DEATHS.—May 15, at Vellore, Lieut D. C. Campbell 9th regt N. I.—24, at Kamptee, Maria, daughter of Q. Jamieson, Esq., M. D., H. Art.—June 6, at Cannanore, Lieut C. T. King, H. M.'s 57th regt—9, at Bangalore, Sophia, only child of A. Wilson 2d batt Art.—10, at Moulmein, Eliza, infant daughter of Lt. C. Gordon 43th M. N. I.—22, at Bellary, Isabella, wife of J. Smith, Esq., Garrison Surgeon.—At Black Town, the wife of Mr. T. Jacob—27, On board the ship "Edmondstone," Mr. W. Beyts—July 1, at Berhampore, infant son of Serjt Major J. E. sey 49th N. I.—17, at Kilbuck, Mrs M. Hays—20, at Kamptee, Lieut-colonel W. H. Rowley 11th N. I.—21, at John Perelras, the wife of Apothecary J. Devine—22, at Trichinopoly, the lady of G. M. Scott, Esq. Madras medical Establishment—30, at Bangalore, Frederick, infant child of Lieut H. Garnier At Tellicherry, the wife of Mr. P. de Rosario—Aug. 2, at Garradah, Captain T. Sewell, 50th N. I.—5, at St. Thome, His Excellency Fre Manoel de Ave Maria Episc. Gov. of St. Thome—at Adyar, Mr. N. E. Aubry—10, at Ootacamund, Albertus, son of the Rev. D. Schmidt—11, Sub Conductor N. Bergin.—The relict of the late C. Arathoon, Esq.—14, at Hingolee, Terrance, infant son of N. A. Woods, Esq.—19, James, infant son of Chatterm. Serjt C. McGrath—20, at the Mount, Charles, infant son of Captain T. Bitts Artillery—23, at Kamptee, John, infant son of Captain and Mrs. J. F. Bind 2d regt—Sept. 2, at Strucka Rasthman Esq. W. St. George, 24th N. I.—10, in Black Town, Miss F. E. Francke eldest daughter of the late Major J. C. Francke Esq. at John Percine's, Ann, eldest daughter of Mr. J. Hall—16, at ditto, Ann, infant daughter of R. O'Connor Ordnance Department—Ranetoria, infant daughter of Serjt Captain Gurney, H. M.'s 63d regt.



# THE EAST INDIA AND COLONIAL MAGAZINE.

## THE NEW BANK FOR INDIA.

Review of a Pamphlet, entitled, "Reasons for the Establishment of a New Bank in India." By an Indian Merchant. Glasgow.  
"Reasons against the proposed Indian Joint Stock Bank," is a letter to G. G. De H. Larpent, Esq. from J. Horsley Palmer.  
"Free Thoughts on the proposed Bank of India, to the Provisional Board of Directors." By a Friend. Liverpool.

SINCE our last observations on the subject of the New Bank for India, two Pamphlets have been put forth in opposition to it; one by an "India Merchant," a Mr. Spurr, member of the Calcutta agency firm of Gaskerell and Co. and the other by Mr. Horsley Palmer, of the London East India agency house of Palmer, McKinnon, and Co. Before we proceed it is necessary to remark that these are the productions of men deeply interested in the maintenance of the old system of agency of making advances for commercial purposes at exorbitant rates of interest and commission, and deriving large profits in exchange operations with the natives at the expense of the home manufacturers and merchants. The opinions and arguments advanced by them are therefore influenced upon any broad considerations as to whether such an establishment is calculated to prove of general good or evil. But the fact seems to be, and we admit that it is well known, that a Bank of this kind, connected with a Bank in this country, would be calculated to secure those enormous profits which have been made by the old Bank for a long time past, and which will be made by the new Bank for a long time to come. It is true that the new Bank will be a joint stock bank, and that the profits will be divided among the shareholders, but the fact remains that the new Bank will be a joint stock bank, and that the profits will be divided among the shareholders, but the fact remains that the new Bank will be a joint stock bank, and that the profits will be divided among the shareholders.



ence to the general advantages to the commercial community of which such an establishment is capable; 1st, by making advances upon good security, at easy rates of interest, to individuals engaged in trade and commerce, who are now and have been for years past at the mercy of their agents; and, 2dly, by facilitating by branch agencies the remittance transactions between the presidencies and the principal commercial marts in the interior, which at present is entirely in the hands of native shroffs or money changers, whose extortions in the shape of *hoondan*, or premium, no person who has resided in the upper provinces can be ignorant of; and we now proceed, 3dly, to shew in what respect the general commercial and manufacturing interests, both in this country and in India, will be benefited by such an establishment.

The system in this country when a merchant or manufacturer is desirous of shipping his goods to India for a better market, has been to apply to one of the 4 or 5 large East India agency houses for an advance upon their value, on condition of directing the consignment to their friends in India. If the goods be of a saleable description, such as copper, iron, &c. the advance is made to the extent of two-thirds of the market value by acceptances at twelve and eighteen months date. Assuming the amount of the goods to be 10,000*l.*, the advance is in round numbers about 6,600*l.* The goods reach their destination in four months, and are realized (less discount for credit) in five or certainly not beyond six months. The funds so realized with a profit perhaps of about 10 per cent amount then to 11,000*l.* With this money the India agents either purchase produce on joint amount for them; and the London houses, should the home markets lead to any expectation of profitable results or they advance it to Indigo planters, and others in the same proportion of two-thirds, that is, on goods amounting in value to upwards of 16,000*l.* For such advance they take bills against the goods on the London house at from 1½*d.* to 3*d.* per rupee over and above the current rate of exchange on the spot, and at three months after sight; and they send their own bills on the London house at the current exchange, and at 6 months after sight. Should it happen that the guarantee of the London house had been obtained for the due honour of the proceeds, the London shipper sustains a loss in the difference of exchange and interest of no less than



1,550*l*.;\* but should it happen, as in very many cases it has done, that from the respectability of the connexion and the reputation of the India house, the guarantee of the London house had not been arranged for, what are the probable consequences—the fluctuations of the market, the difficulty of effecting sales, the inability of the London house to come under any further advances to the India establishment, the pressure of the money market in this country, and a variety of other causes, may contribute to produce a resolution on the part of the London house not to accept the bills? What then is the situation of the holder? He has no remedy against the London house, although it was with his money the goods that accompanied his bill were purchased—he has no lien upon the goods,—they are sold, and carried in liquidation of the balance due, by the India house, and he is left to seek his remedy, with them. This is no suppositious case, as the numerous unfortunate holders of bills just preceding the memorable failures can amply testify; and the system of agency which has succeeded the last offers no security against its recurrence.

The houses at present established in Calcutta are, it is notorious, without any capital, but what is supplied by means of the London houses for employment at the high rate of interest obtainable in India, and for conducting the exchange operations to which we have alluded. The profits accruing from the latter being equally divided between them. These profits during the existence of the late houses, we have known to have been very considerable, and as regards the British manufacturer and merchant we contend, that the exchange profits belong properly to him. Having paid the usual mercantile commissions, the bills received from the India shipper, for his money should be remitted to him, and any advance on the cou-

• The proceeds of goods being about	Rs. 1,10,000
is remitted by bills drawn by the India House	
on the London House at 2 <i>s</i> . 2 <i>d</i> . the rupee, at	
6 months	£ 11,916 13 4
but the funds being advanced on produce, bills	
are obtained at 2 <i>s</i> . 5 <i>d</i> . the rupee, at 3 months	13291 13 4
	<hr/>
	£ 1,375
Difference of interest between 3 months and	
6 months	166 3/4
Loss to the London Shipper	£ 1,541



rent rates of exchange thus obtained, by the employment of his money, no one will dispute, is a profit of which he is better entitled than the Indian or London house.

In reference to the guarantee of the London house, it might be said that every shipper to India has it in his power to provide for it. Be it so; but what security have parties in India who are desirous of remitting to England, in the bills on the London houses. None at all, the connexion between the London house and the India house, extends no farther than in the participation of profits as long as things go on well. This connexion they can throw off at pleasure; and if no other argument existed, this alone would be sufficient to point out the necessity of a large banking establishment in this country, connected with India, free from all such risks, and capable of affording a facility and security to the immense remittance transactions between the two countries, which can in vain be looked for under any system of private or individual agency.

While on this subject, we extract some excellent remarks by a writer of great mercantile experience, in one of the leading Calcutta journals.

A Correspondent very justly remarks, that a line of business is open for the Bank of India, which has not yet been mentioned, to make advances on goods consigned to Europe, on the same principle on which advances are now made by the Company. The competition of such a Banking Agency might produce the same beneficial influence in regulating the terms of exchange, &c. upon such operations, as the rivalry of the Union Bank produces in rendering more accommodating the accommodations of the Bank of Bengal. But is it to be expected that the London and Liverpool merchants will, with their eyes open, combine to lessen the profits of Agency,—to offer to the planter and the speculator a means of avoiding the charge of Agency Commissions in India? If the projected Bank do not offer this, it will not make advances on terms so favorable as the Company. Yet the outcry against the company's lending Capital to traders, may for the most part be resolved into its tendency to reduce the profits of the Capitalist. For our own parts, we see in the system a treble benefit—1st, a great convenience and much economy to the *trader* (as distinguished from the *agent*)—2dly, a means of more quickly extending the amount of shipments to meet a sudden demand, thereby both lessening the fluctuation of prices at home, and commanding a better footing in the home market for the productions of India—3dly, a positive benefit to the Company,—in other words, to the finances of the Indian empire, by procuring a better exchange for the annual remittance, than the average



rate likely to be obtained by negotiating drafts upon India. Much as we expect from the judicious employment of the Large Capital of the new Bank, if it be established, we do not think it could supersede the Company's present remittance plan, with benefit either to the Company or to the Public.

Some writers have affected to consider, that because the existing Banks in India have not their Capital fully employed now, there can be no need for more Capital. This is only true in the limited sense of local employment of precisely the same kind and on the same terms. At the very time that this apparent sufficiency of Capital exists, it is well known that when any scheme is proposed for a joint association in Calcutta, involving an outlay of but a few lakhs, unless the prospect of profit be very tempting, it is at once felt to be impossible to get the shares filled up. Not to mention the plan of a Dock Company, which is admitted to offer a handsome return for the Capital it would require,—see with what apathy the proposition of Government has been met, to grant the privilege of bonded warehouses to a pile of buildings suitable to the purpose, if the merchants will build it themselves. In England, within twenty-four hours, such an offer would have been answered by a deputation to the minister, with a prospectus and share list already filled up. Now this is one of the many objects which a bank of large capital might lend money upon, and thus would it be carried into effect with but a trifling drain upon the funds actually engaged in commerce.

To enter into any detailed examination of Mr. Horsley Palmer's objections to the proposed bank would far exceed our present limits; but it may be judged of what weight and importance they must be, when so recently as in 1833, Mr. Palmer, united with Messrs. Rothschild, Baring and others, in strongly advocating a project similar to this in all respects which was then being contemplated, with one exception to which his present objections strongly cling, that its operations should not interfere with existing interests in this country, or in other words, that the exchange operations with its attendant profits should be left to the quiet enjoyment of his own, and the four or five East India houses who have hitherto monopolized them.

He now recommends an extension of the bank of Bengal.

“Affirming that an extension of the Bank of Bengal, under proper regulations, and governed by Indian residents, chosen by proprietors upon the spot, bearing their full share of responsibility as directors, and having perfect knowledge of local wants and credit, with similar establishments formed at the other presidencies, all in correspondence with each other, would afford every banking aid which that part of the Bri-



tish possessions could require, and thus strangle in embryo a most illegitimate offspring,—the proposed bank of India.”

The “India Merchant” also says,

“Their opponents are neither few, averse to, nor insensible to the benefit which would result from a judicious extension of the India banks. On the contrary, all their anxiety is to prevent a change which they feel assured would prove a curse, instead of a benefit, and to secure to the community of India the equitable right of constructing and managing their own banks.”

To these suggestions for the extension of the local banks, and of leaving the parties on the spot to construct their own banks, and to model them after their own fashion, we cannot do better than offer the well-digested observations of a party on the spot. These are quite conclusive as to their inefficiency, and to their incapacity, however extended, for conferring those benefits, which in their hitherto limited operations they have failed to establish.

**BANKING SYSTEM.**—It is amusing to observe how much the prospect of a little competition has excited the energies of one of the most torpid establishments in India, or perhaps, in any part of the world—the bank of Bengal. Although established nearly 30 years, in, perhaps one of the finest fields for banking, and possessing advantages from its connexion with government which secured it an almost unlimited credit, this institution has remained stationary, or nearly so, content with a certain amount of business of which it enjoyed a virtual monopoly. The only symptoms of vitality manifested by it, until lately, within the last 8 or 10 years were when its very existence was threatened by the great forgeries of 1829 or 30, and again when in opposition to the Union bank and apprehensive of the growing popularity of that establishment, it made an effort to exclude its paper from circulation, and destroy its business of refusing to receive any but its own notes. The establishment in short, seemed to rely upon patronage for its very life's blood, and, leaning upon government, would have continued, probably, for ever satisfied with its position, and anxious about nothing but to check all approach to competition.

From this state of profitable inactivity it has been roused, however, by the prospectus of the bank of India. The individuals who nestle in the snug sinecures it affords, are up in arms at the prospect of being absorbed by the new establishment, and to render the operation as difficult as possible, at the very first meeting after the arrival of the plans for the new bank, they have come forward with a proposition “that a committee be appointed to report in what manner the operations of the bank of Bengal may be most safely and beneficially extended.”



What may be the result of the efforts which have led to this unwonted spirit of enterprise we do not know. That that part of the plan for the bank of India, which contemplated a union with the bank of Bengal, was almost impracticable we thought from the first, and the feeling displayed in Bengal now convinces us that it is quite so. But should the latter prefer a vigorous opposition to a union of interests, there can be no question that the public will benefit by the circumstance. The resolution we have noticed is the first symptom of a change for the better; and instead of having in future to deal with the hitherto unaccommodating spirit of the bank of Bengal, the commercial community of Calcutta, and if the bank's operations should be extended as contemplated, of all India, will meet with the liberality and attention to their wishes which they have a right to expect even from a corporation of the kind.

At the same time, we do not see that the bank of India has any thing to apprehend from the noncompliance of the bank of Bengal with its wishes. The field for banking in this country is quite enormous, and but a small portion of it is occupied by the institutions now in existence. Even in Calcutta the bank of India would not find it difficult, without the assistance of government, to do a very large and profitable business as long as the current rate of interest remains as high as at present, by merely being the channel for introducing English capital into the place. At Madras the government bank, if it were not discontinued at once, as it must ultimately be by a more popularly constituted establishment, would not much impede the business of such an institution, while in Bombay, besides having the finest scope, the new bank would at once enter upon an almost boundless field for its operations.

To such an extent, indeed, would this be the case, that it is a matter of amazement that the commercial community here have so long closed their eyes to the capabilities of the place. The trade of the port, as we have already shown, is about equal to that of Calcutta, whence it may be inferred that an equal, or nearly equal, amount of paper money would be wanted for circulation here that is required for the circulation of the former place.

With respect to deposits, the plan pursued until lately at the treasury, shows what a profitable portion of the business of a bank they would form. The difficulty of making large payments in bullion is such, that some of the large mercantile establishments here, have been in the habit of keeping sums in the hands of government, and making their payments by orders on the sub-treasurer, thus, in some respects, making the treasury what the celebrated bank of Amsterdam has always been a place for the general transfer of money.

And the convenience arising from this privilege was such, that the average balance in the treasury was about 20 lacs of rupees. Finding the practice, however, objectionable, from the responsibility incurred, orders were lately issued for discontinuing it; and at present the public are deprived of the convenience it afforded. Here, then, is a large



amount of business which would immediately fall to the share of a well constituted bank ; nor must the sum we have mentioned be supposed to define its limits ; for after all, but a small portion of the community availed themselves of the treasury in the way we have mentioned.

Should the bank of India therefore be abandoned, owing to unexpected difficulties, it will be a question for serious consideration here whether something may not be done to make up for the disappointment this must occasion. The capital necessary for a bank exists already in the island in sufficient quantities ; there is, indeed, a superabundance of it, and it is a curious fact that large sums possessed here, are, and have been employed for some time in the trade of both Calcutta and Madras. There can be no reason, therefore, why the place should any longer be deprived of one of the greatest facilities for trade, which all large towns with civilized and secure governments possess.

Since writing the above we have been favoured with the following letter, addressed to Mr. Horsley Palmer in reply to his pamphlet ; and it needs not our assistance to point out how ably the writer, who is a man practically acquainted with the subject, has exposed the errors and misconceptions of the late Governor of the Bank of England.

SIR,

Your letter to G. de H. Larpent Esq., containing your reasons against the proposed Indian joint stock bank, having been printed and published, has thereby become public property, and it is fairly open to the examination of any individual who may feel inclined to dispute your positions, or to annul upon your errors, and misconceptions. You say at the outset of your letter, " without assuming to myself any weight in public estimation, upon banking matters, the position in which I was placed in the bank of England, from the year 1828, to 1833, has perhaps afforded me more opportunities for judging as to the probable working of such an establishment as you have contemplated, than may have fallen to the lot of others, who may not have paid equal attention to the banking question." This allusion to your position at the bank of England, would be quite unnecessary, unless you intended thereby, either to give weight to your opinions, or to establish some new fact bearing upon the question at issue, and as you have most expressly disavowed all claim to the first, I was led to suppose that your object was, on the authority of your experience at the bank of England, to establish those facts, hitherto unknown, to the *profanum vulgus*, and thereby to convince the world, that your reasons were founded on a solid, and incontrovertible basis. In this expectation, however, I have been miserably disappointed—your letter is, throughout singularly deficient in facts, to support your reasons. You object to the principle of the proposed Indian bank, you promulgate a new doctrine in banking, you circumscribe its operations within some imaginary and arbitrary line, and you would have the commercial world to hear, and to



## THE CITY OF ALEXANDRIA.\*

A cleverly written work on Egypt has just issued from the ripe press of Messrs. Colburn. Its misfortune is, that it has followed and not precurred other and better productions. Major Skinner, in particular, has thrown so much light upon Egypt in his popular book, that our author cannot but feel himself "a mote in the sunbeam." Not that Captain Scott is insignificant by the side of Skinner, farther than that when the eye of the public has been newly attracted by one striking object, another of the same nature, although equally striking, lacks, for a time, the power to command the attention it may intrinsically deserve. This work, then, should have been put aside for another twelvemonths; at their expiration, we think we should augur it a very favorable reception.

We shall proceed to point out one or two faults the volumes on our table evidence; and then to extract a portion of their virtues.

Captain Scott's work is fulsome of statistics, which are, we grant, sufficiently appreciable in the form of an acknowledged directory or guide, but to incorporate such dry matter in a book of travel that should amuse, not task the mind, is but to destroy the *tone* a work of the kind should possess. In illustration of a subject so classically important as a work on Egypt, we expect to find much animation of style, argus-like observation, and an adventurous spirit brought to bear. But these qualifications are but slightly developed in the production before us.

Our author is certainly a scholar, and one well versed in classic lore; his volumes evince "something too much of this" for modern taste. To read a labored account of the parching desert, or the dry plains of Egypt, written in a spirit as sapless as its subjects, is not an agreeable amusement, although it may be a very acceptable theme to the student. If, then, we are bound to acknowledge Captain Scott a *virtuoso* and a classic, we regret but the more to find his bad taste forcing him to the inconsistency of indulging, as we have said, in *infinitesimally* minute statistics; for instance, we are treated with the length, breadth, population, &c., of the merest village, even to the depth and quality of mud of its main ditch, whilst all this is offered, by way of compensation we suppose, for the occasion-

\* "Rambles in Egypt and Candia," by Captain C. R. Scott. 2 Vols. 8vo.—H. Colburn. 1837.



ally hurried and crude examinations afforded more important matters. Again, Captain Scott canvasses the military strength, capabilities, &c., of every little town he has visited, with all the gusto of a demi-Buonaparte; the half of his work is devoted to this style of writing, coupled with much of a speculative character in reference to military tactics; such matters are useless, of course, to all, save military readers.

As usual, with modern productions, Egypt and Candia is *stuccoed* with a *quant. suff.* of Parisian and Latin phrases. By the way, we suspect publishers of employing some individual,\* purposely to beautify their *rough goods* with the ornaments in question.

The important subject of Steam Navigation, now on the *tapis*, may render the following account of Alexandria interesting:—

“Modern Alexandria occupies but a small portion of the ground once covered by the ‘second city of the universe.’ It stands upon a narrow neck of land that connects what formerly was the Island of Pharos with the main land, and is, consequently, washed on two sides by the sea. Its whole circuit does not exceed two miles and a half. The island, or, (as it should now more properly be called) the Peninsula of Pharos, is a narrow rocky spit, extending about two miles east and west, (or, to speak more correctly, N. E. and S. W., that is, parallel to the line of coast,) and which, stretching beyond the town on each side, so as to form with it a T, serves as a mole or breakwater for the two harbours.

“At the eastern extremity of this ledge stands the Pharos, or Light-house, enclosed by a castle that commands the entrance to the ancient harbour. At the westernmost point is situated the fort, sweeping with its fire the approaches to the great harbour; and, on a projecting point, about mid-way between them, is a third work, which serves to cover the city from the sea.

On the land side, the town is defended by a double *enceinte* of walls; the first of these is drawn across the isthmus between the two harbours, and has an extent of about one thousand yards. The outer wall is advanced rather more than half a mile beyond this, but stretches out considerably to the eastward, (somewhat in the form of a horn-work,) and presents to the

\* This is a fact. A publishing house, not a hundred miles to the left of Regent Street, employs a man whose duty, *we know*, to be of the implied nature.



north a front of nearly two miles in length. Neither of these walls is by any means well-built, or judiciously planned; they are both of recent construction, but raised upon the foundations of other works. They have parapets for musquetry, and are flanked, at short intervals, by large square towers mounting artillery.

"In the area comprised between the first and second walls are two isolated hills, which may be looked upon as citadels, possessing a general command over the rest of the defences, their summits being occupied by formidable forts, named Cretin and Cafarelli, after two general officers in Buonaparte's army. The surface of the rest of this space, (which is three times as large as that occupied by the city,) has the remarkable appearance of an abandoned mining country. Underneath this desolate expanse of tinnuli is a vast labyrinth of ruins, which may not improperly be termed a hole of building materials, for the houses of modern Alexandria are almost all constructed with the cut stones and granite pillars excavated here, the store of which appears to be inexhaustible.

"The city, though ill-built, contains many handsome houses, and, towards its southern extremity, where the Frank quarter is situated, some wide, straight streets have recently been built, which would be considered ornamental any where.

"The population, including the sailors and artificers employed in the Arsenal, is estimated at 10,000 souls, of whom upwards of 5,000 are Franks and Jews. Enormous as this amount appears to be for a city occupying so small a space, yet, considering the narrowness of the streets, and the height and compactness of the houses, I should say that it is not by any means exaggerated.\* There is also a peculiarity in the construction of the town, that enables it to stow away the population very closely. This consists in most of the large stacks of buildings having interior courts, from whence public staircases ascend to galleries at every floor, which thus become streets, and every room opening into them may be made a separate dwelling.

"These buildings are common in the East, and are called Okellas: some of them contain as many as six hundred persons. From the ease with which they may be cut off from the other parts of the town, they offer great facilities for checking the

\* This was previously to the breaking out of the plague, in 1835, which is computed to have carried off 18,000 souls in Alexandria alone, and in all Egypt, 200,000.



spread of contagious disorders, as well as for generating them, if they are not kept clean and well ventilated."

"The shops of Alexandria are extremely good; all the productions of Europe may be procured at them, nearly as cheap as in the countries from whence they are brought. The bazars, also, are well stocked with the produce of the East; in fact, every thing denotes a thriving trade and great influx of money. The inns are very tolerable—indeed, would be considered *good* by persons arriving from Greece, Sicily, or Southern Italy. A few carriages and English dennets may be seen occasionally in the main street—the only one practicable for them out of the Frank quarter. Carts are also coming into use, though camels are still generally employed for the conveyance of heavy goods from the wharf to the merchants' warehouses.

"The ass is the common '*mouture*' for all classes of persons to whom either business or inclination renders locomotion necessary, and the endring little animal is to be met with, ready saddled and bridled, at the corner of every street, and may be hired for a whole day, driver included, for the moderate sum of ten-pence.

"The commerce of Alexandria, as may be supposed from its being the only Egyptian port in the Mediterranean, offering a secure anchorage for ships, is very great. The western harbour, spacious as it is, (being that in which all vessels are obliged to discharge their cargoes,) is at all times completely thronged with ships of every description of rig, and the flag of almost every commercial nation in the world may be seen there—the bunting of Austria and France usually predominating.

"There is but one wharf for landing merchandize, and it is inconveniently small. The beach alongside is, however, of a nature to admit of boats being run on any part of it, and the goods are quickly brought to shore by Arab porters.

"The Eastern, called the New Harbour. (although it more properly deserves the name of the *old*, being that which was used by the Greeks and Romans,) serves now merely as an anchorage for vessels undergoing quarantine. It is equally as well, perhaps better, sheltered than the principal harbour, but neither so convenient nor so safe, being obstructed by reefs of sunken rocks, and strewn with the *debris* of the various massive buildings that formerly lined its quays.

"On the extreme point of a ledge of rocks, that juts out from the land and shelters this harbour to the east, is situated



an old tower, which claims the honour of having been the prison of Cleopatra. Near the spot where this ledge meets the shore, and just within the exterior wall of the city, stands the granite obelisk, called the 'Needle,' of that celebrated queen.

"On the margin of the harbour, somewhat nearer the modern city, may be traced the ruins of the famous library, which unfortunately stood close to the sea wall; and also the remains of an artificial beach, composed of large blocks of granite, sloping towards the sea, which must have been constructed by the ancients to facilitate the drawing up and re-launching of their galley.

"It would be in vain to search within the walls of modern Alexandria for any traces of the proud capital of the Ptolemies; scarcely, indeed, can any remains of the archiepiscopal city that in after ages disgraced Christianity by its tumults, massacres, and disputes, be discovered. Ruins of temples, churches, &c., long since crumbled to dust, are strewed for miles in all directions; but, within the enclosure of the present city, there is not now standing a single building that can boast of any great antiquity.

"In fact, the only monuments worthy of notice that remain in a tolerable state of preservation are the two commonly known by the names of Cleopatra's Needle and Pompey's Pillar, both situated outside the modern city."

"Of the modern sights of Alexandria, the Naval Arsenal is the most worthy of notice, not alone on account of the magnificent scale of the establishment, but, from the degree of perfection to which, in the short time it has been in existence, its different departments have been brought. Some long ranges of handsome stone buildings, standing at a convenient distance from the decks, contain the storehouses and workshops of the various departments. On the ground-floor are those of the blacksmiths, carpenters, shipwrights, coopers, pump and block-makers, &c., and also the store-rooms for heavy articles, such as iron and timber. Above, are warehouses for lighter stores—canvass, buating, clothing, mathematical and nautical instruments, and other articles of equipment; as also workshops for sail-makers, tailors, &c., school-rooms, offices, and printing-presses. A rope-walk occupies the entire length of one of these buildings, and is one thousand feet long.

"The stores contain every thing necessary for a ship's equipment, even including furniture for the officers' cabins, which are



fitted up, to the most trivial articles, at the expense of the Viceroy. I was not a little surprised to find that his highness's munificence extended even to the supply of clothes and *hair-brushes* for the officers' cabins. Most of the small articles that are of foreign manufacture, are procured from France, and their supply has very much the appearance of a *job*—notoriously that of hair-brushes for a people who keep their heads close shaved—but the cotton sail-cloth, and stuffs for the sailors' clothing, the bunting, serges, &c., are of Egyptian manufacture. Very few things are English, and of these bar-iron was the only article that figured conspicuously.

“ In the storehouses, I noticed some brass swivel guns, of about a pound calibre : a few were English, but the greater part were of native workmanship. They were all fitted with percussion-locks.

“ The number of men employed in the Arsenal amounts to three thousand. I was rather startled on receiving this information ; but, on counting upwards of fifty men at work in the *pump-room*, and seventy tailors plying the needle in another apartment, I became convinced of its correctness.

“ The Dock-yard contains four permanent slips for building vessels of the largest class. Several vessels have already been launched from them, and three line-of-battle ships and a large transport were in a state of forwardness when I left Alexandria. A yacht for the Viceroy's own use was building on a temporary slip, which also was nearly completed.

“ The first time I visited one of the Egyptian ships of war was under every disadvantage, having on my way gone on board his Majesty's sloop *Champion*, a pattern of order, cleanliness, and regularity, even in our service. I was, nevertheless, struck on planting my foot on the deck of the ‘ *Mesr*,’ to find those good qualities (the first to attract a landsman's attention) possessed to a very considerable degree. A sailor's practised eye would probably have detected numerous faults in the setting up of rigging, in the internal economy of the vessel, and so forth, which to me were not apparent ; but, in every thing, my expectations were far surpassed. The vessel, a noble three-decker, mounting one hundred and thirty-six guns, was at that time commanded by a Frenchman, whose good taste in fitting up his ship I could not but admire. There was no attempt at finery, (so *deplace* in the naval service) ; on the contrary, every thing was studiously plain. There was, at the same time, however, a want of that *finish* which is so observable in



English vessels, (and I think I may say in English vessels *only*) although all that 'met the eye was solid and good.

"The guns were in excellent order, and all fitted with sights; the decks clean and clear, and devoid of any close disagreeable smell.

"My astonishment was great on being informed that smoking was forbidden on board the Egyptian ships: \* not a pipe was to be seen or smelt. I could not but think that this was warring rather *à l'outrance* against the tastes and habits of the people, and could hardly agree to the justness of the reason assigned for the prohibition, namely, that it would be unsafe on board ship to have twelve or thirteen hundred chibouques in activity at the same time; for might they not be allowed to smoke in watches?

"There is a school for the instruction of the midshipmen and petty officers on board the *Mesr*, (now the admiral's ship.)

"The Egyptian navy is by no means to be despised, although still far from being as efficient as it is capable of being rendered.

"The Viceroy, when residing at Alexandria, usually passes much of his time in the Naval Arsenal, inspecting in person the different works in progress. An apartment has been fitted up there for his accommodation, in which he is in the habit of transacting his daily business. His palace is situated on the peninsula to the north of the city, and commands a fine view of the harbour, as well as over the sea. On a sand-hill in its vicinity, is a semaphore, which communicates with others in the direction of both Rosetta and Cairo. To the latter place, his commands may be conveyed by this means in forty-five minutes.

"The Seraglio consists merely of a large reception-room, or divan, an equally spacious ante-room, and a few small apartments for attendants, and has nothing about it to gratify curiosity. A large building, about a hundred yards distant, contains much, however, to excite it, its jalousied windows, high enclosing walls, and numerous sentinels, pointing it out as the terrestrial paradise of the wives of the viceroy of the prophet's viceroy.

"There is yet another palace close by, which serves for the accommodation of visitors of distinction. Attached to it is a

\* I found afterwards, however, that in many of the Egyptian ships this prohibition was not strictly enforced whilst in port.



bathing and boat-house, from whence his highness often embarks to visit the ships lying in the harbour.

"The garrison of Alexandria consists usually of from five to six thousand men, infantry and artillery. A large portion of this force is quartered in barracks within the city; the rest are distributed amongst the various forts, or encamped outside the walls of the Viceroy's palace.

"The lazaretto (for the Musselman ruler of Egypt has so far given up the doctrine of predestination as to take measures to prevent the spread of the plague,) is situated on the shore of the eastern harbour, outside the walls of the city. It is a fact worthy of observation, that this establishment although it had existed but five years previously to 1834, had, during that period, saved the country on six occasions from the ravages of the plague.

"Beyond the walls, at the s. w. end of the city, is the basin at the head of the new canal, communicating with the Nile, at Atfeh. For the benefits resulting from this work the country is also indebted to Mohammed Ali. It received the name of Mahmoudieh, in compliment to the reigning sultan.

"The country round Alexandria is by no means the barren sandy flat one is led to expect. On the contrary, it is pleasingly undulated, and, in winter, its surface presents a verdant covering of young corn, clover, &c, that reaches from the margin of Lake Mareotis to the very gates of the city.

"Along the banks of the Mahmoudieh Canal, many gardens have lately been planted, and country houses erected, to the quiet enjoyment of which the wealthier inhabitants retire during the summer months, and the orange groves in which they are embosomed are already sufficiently umbrageous to allow the good Frank citizens to ruralize under them on Sundays and *fete* days, without risk of *coups de soleil*.

"The society of Alexandria consists almost *exclusively* of the consular circle. It contains, of course, many agreeable and well-informed persons; and travellers, provided with letters of introduction, easily obtain the *entree*; but the mercantile class, which, at the present day, is, with few exceptions, composed of a very second-rate order of the profession, is by no means noted for hospitality.

"Amongst the public amusements of the place may be reckoned frequent amateur concerts, a theatre, where French plays are performed, and subscription balls, to which all persons appear to be admitted, without distinction of caste, religion, or



politics; the maze of the waltz mixing most heterodoxically together, Papists, Protestants, Greeks, Armenians, Jews, and Mohammedans; and it is by no means unusual to see even a Bim Bashee, of Mohammed Ali's navy, *galloping* (maugre the impediments of capacious nether garments and slippers,) with the bright-eyed daughter of her most Catholic Majesty's Consul.

"At one of these '*reunions*,' at which I '*assisted*,' such was the variety of character and costume, that it was with difficulty I could persuade myself I was not at a real fancy dress ball. Indeed, the delusion was rendered perfect by the truly ludicrous attempts of the Franks to make themselves at home in the Turkish costume, and of the Greeks to appear at their ease in that of the Franks. Some of the chaperons had all the appearance, in complexion as well as dress, of having been just released from a mummy state, and arrived from the catacombs in their ancient Egyptian costume.\* There were, however, many very pretty girls in the room, though, with but one or two exceptions, all were badly dressed, and I should say that a Parisian *maitre-de-danse*, (I believe, by the way, that they are called *professeurs* now) and a *couturiere*, would find it to their advantage to undertake a voyage to Alexandria.

"A gaming-table was the centre of attraction for many of the male kind, amongst whom, judging from agitated countenances and nervous wrists, I concluded there was some high play."

## RECOLLECTIONS OF THE DECCAN.

### KALLUDGHEE.

Kalludghee, another military cantonment in the southern Marhatta country, 80 miles north-east of Belgaum, is about as dull, gloomy, and odious a station as can well be conceived. It is situated on the south bank of the Gutpurba, which, in the rains, is a broad, muddy, and most rapid stream, but, in the dry season, a mere succession of shallow pools and sand, in which, however, are produced quantities of good musk-melons. Within the limits of the cantonment there appears one solitary tree, a stunted tamarind.—In the neighbourhood is abundance of low jungle and brush-wood. The soil is black, and in the dry weather cracked and dusty; in the monsoon is deep and miry; but the gardens are productive. The bungalows are of mud, and their windows of oyster-shells. The climate for some months



exceedingly hot and dry ; the land wing strong. From October to February, however, the air is cool and sometimes cold. Scenery there is none, the country being mostly a dead flat. I know not one redeeming advantage that this station enjoys, save that extravagance is impossible, and that money may thus be saved. I was once detained there for a week, not many months after my arrival in India. I thought I should have died of *ennui*.—"What do you do with yourselves?" I enquired of a humorous Brevet Captain, with a jovial eye and glistening cheek, "How do you pass your time in this wretched place?"—"Why," said the old fellow, "you see, some drinks brandy paunce, and some drinks Sangaree, and some sleeps, and some plays at cards, and some goes out a shooting, and some reads books ; but, Lord love ye ! I aint looked into a book these 19 years, and so you see I drinks my beer and sleeps !" A very rational sort of life the reader will allow ! I then thought this description of Mofussil outstation life exaggerated ;—after events induced me to admit its truth, Kalludghee at that period was occupied by an efficient Brigade, consisting of a corps of Cavalry, a troop of Horse Artillery, and two regiments of Infantry, all on full batta ; it is now reduced to a single corps station on half batta. It was then dull,—it must now be detestable.

I have since been many years in this country ; I have visited several cantonments, and have seen all the presidencies. I commenced my career by a strong dislike to India and every thing in it ; I have since become reconciled to the country ; for with health and competence I have begun to feel, that there might be worse residencies than those of many, I wish I could add all, Indian stations. The larger cantonments, the chief civil stations, are good, the minor presidencies pleasant ; and Calcutta I decidedly like. But with those, my praise of India must cease ; for what we could compensate for the wretched monotony of dullness, the absence of all excitement so prevalent at the smaller out-stations, especially to an unfriended soldier ? Oh, that existence without an object, without an expectation, almost without a hope !—to writhe under the sickness of disappointment ; to feel one's powers gradually yet steadily decaying from want of excitement and mental sustenance ; to experience that wretched sinking of the heart—the mind feeding on itself ; to find one's self merely vegetating, as it were in a solitude, doomed to the same routine of petty duty and humble labours ; to believe one self's fitted for nobler pursuits and



a higher sphere; yet to be compelled to remain joyless and hopeless, without books, without the interchange of thought, perhaps, without one acquaintance possessing any community of feeling with one's self; and, lastly, to think one must die unknown, unremembered; to an ardent temperament, if there be a hell upon earth, it is this.--it is this!

How many with high aspirations, education, feeling, energy, has sunk before the blasting wretchedness of such existence!

But a truce with these reflections.

The *dacoits*, in this part of India, are enterprising and formidable characters. Here to-day, and there to-morrow, they traverse a wide extent of country, suddenly make some desperate attack, where least expected, and with such judicious enterprise that they escape unharmed, with very considerable booty. Only a few weeks prior to my arrival at Kalludghee, they had made a most daring and successful attack on the Cavalry lines at the western extremity of that camp. Their mode of proceeding was as follows:--About midnight a handsome procession, as though a marriage ceremony, with horns, tomtoms, and a blaze of flambeaux, was seen to issue from one of the bye-ways, and to wend its course up the central street of the bazar, as is the usual practice on such occasions. The music played merrily, and the attendants shouted in chorus; and in the centre was borne the palanquin with the bride, near which rode the bridegroom superbly attired, and sweet scents were burnt, and frankincense scattered around, and many collected to enjoy the *tamasha*. On a sudden, at a signal, every torch was dashed to the ground--swords were drawn, and the bystanders indiscriminately sabred. A rush was made to the Shroff's houses--within three minutes their habitations had been forced and rifled of every thing, upwards of 10,000 rupees in hard coin carried off, two banians murdered, several others severely wounded, and the whole bazar in flames in twenty different places. So well had the fellows arranged their plans that, although the whole camp was alarmed, and the guard instantly hurried to the spot, and the picket mounted, and scoured the whole country, they succeeded by means of the numerous and jungly ravines, with which the plain was intersected, in getting clear off with their booty. Not a man was taken, they escaped unharmed. The pursuing party were not, however, equally fortunate; for, in consequence of the darkness of the night, in the energy of pursuit, several of them rolled horse and all into a nullah, and were more or less seriously



hurt. The Captain, commanding was among the sufferers, for he broke his collar-bone and arm. In order, as far as possible, to guard against the recurrence of such acts, it is now a standing order, I believe, throughout the Deccan, that no procession shall be permitted, within limits of any military station or camp, without the previously received sanction of the officer commanding.

#### DHARWAR.

Dharwar,—latitude 15d. 36m.—longitude 75d., is a civil and military station. The military consist of a regiment of infantry. The Civilians are a Collector and Political Agent, Judge, Register, and a host of Assistants. It has ever been a favorite residence, and is indeed one of the pleasantest civil stations in India. The climate is particularly fine and salubrious, for, although only 50 miles distant from Belgaum, the rains are much lighter; and, being removed from the influence of the hills, while the country around is open and dry, it is altogether free from those fevers to which the latter station is sometimes exposed. The military reside within the fort; the Civilians on a slightly elevated spot about a mile and a half distant. Some of the houses are good, but those within the fort are mostly indifferent enough. The only public buildings are a court-house and a jail. The latter building is remarkably spacious and well constructed, capable of holding without inconvenience a thousand prisoners; it usually contains from seven to eight hundred. These men are actively employed, some in making roads, and others out-door work, while others are instructed in handicraft, weaving, &c. A good deal of superior cloth, for which there is a very ready sale, is manufactured within the walls of the prison. A few years since the prisoners rose *en masse*, murdered several of the guard, and made a desperate attempt to escape. The military were called in, but the fellows fought with desperation; and it was not until a great many had been killed, and more placed *hors de combat* that they could be induced to surrender.

The fortress, although now a good deal dilapidated, was once a place of much strength. Its extent is considerable. The walls and bastions are of good height and solid, principally built of mud, faced with granite, and further defended by a ditch 30 feet wide, and about as many deep. Abundance of the finest water is supplied from an enormous *bewery* blasted out of



the solid rock, and upwards of 80 feet deep. The fort contains nothing else remarkable. To the south is a pettah of some extent, defended by a low mud wall and a moderate ditch.

In the year 1784, Dharwar was wrested from the Mahrattas by Tippoo, but was recaptured from him in 1790 by Purseram Bhow, aided by two British detachments, the one under Capt. Little, the other commanded by Major Sartorius, after a gallant defence of many months. Its capture cost a great many lives, upwards of 300 men having been killed on either side in a single sally. The brunt of the siege fell on the British detachment, which suffered severely. From that period it remained in possession of the Mahrattas until June, 1817, when, by the treaty of Poonah, the fortress and adjoining district extending south as far as Sponda and east to the Toombudra, were ceded by the Peshwah Bajee Row to the British Government. It was immediately occupied by Madras troops, and Colonel, the late Sir Thomas Munro, was appointed Civil Commissioner of the Province. After the subjugation of the Peshwah and the cession of the Deccan in 1819, a Principal Collector and Political Agent was appointed, in whom was vested the superintendence of all the territories south of the Kistnah, subject to the general control of the Commissioner of the Deccan. In 1826, that Commission ceased, and the southern Mahrattah country was placed under the direct orders of the Bombay Government, independent of the Revenue Commissioner of the Bombay territories. In the present year this immense district has been divided into two collectorates, Belgaum and Dharwar; to the latter of which is also attached the political control of all the great Native feudatories in the Province. A handsome monument has recently been erected at Dharwar in memory of Mr. St. John Thackeray, the Political Agent, who fell, together with three officers\* of Artillery, at the disastrous attack on Kittoor in 1824.

Dharwar, from its vicinity to Hoobly, the great commercial mart of the Province, is not a place of much trade. This latter town is situated 14 miles to the south-east, and although it has lost much of its former consequence, from the increasing introduction of British goods, yet it is still a considerable place, with a population exceeding 20,000 persons, and is celebrated for its manufacture of cotton cloths.

The number of fortresses throughout this part of India is perfectly astonishing. I doubt whether any territory in the

\* Captain Black, Lieut. Sewell and Dighton.



world of equal extent can in this respect, compete with it. Go in what direction you will, you cannot march 10 miles without passing at least one fort more or less formidable. They are of all classes from the stout ghutry of 60 yards square, with single wall and double gates, and either with or without a ditch to the regular fortress on the plain half a mile in diameter, with Fausse Bray and inner walls, a formidable ditch, covered way, a clear glacis and esplanade, and two or three strongly fortified gates; while, in many places are battlements enclosing a whole mountain top, vast and impregnable—and evidences, alas! of wild misrule and lawless anarchy, through a long career of ages.

The larger proportion of territory is highly cultivated. There are many very fine tanks or jheels, some of which are miles in extent, scattered over the face of the country, and used for purposes of irrigation. In the vicinity of the hills are vast *rumnahs* or plains of long grass, and occasional patches of low brushwood, all abounding with game:—hog, tigers, wolves, hyænas, bears, bison, antelope, cheetah, red deer, sambre, neelgye, spotted-deer, barker-deer, goat-antelope, foxes, hares, bustard, sometimes as many as a hundred in a flock, snipe, wild-fowl in myriads of every sort, from the dab chick to the pelican or flamingo, partridge, painted partridge, cyrus, jungle-cock, spur fowl, florikin, black and white, leek, plover, quail, rock-partridge or pigeon, blue pigeon, green pigeon, and pea-fowl both white and blue. In the islands of the Kistnah river the least are so numerous, that I have known a hundred killed in one day, by a couple of sportsmen merely floating in basket-boats with the stream, and firing as the birds flew across from island to island when roused by the beaters.

It was in the immediate vicinity of this station that Lieut.-Colonel D. Ross of the 18th regiment Madras N. I., had a memorable encounter with a bear. He was out florikin-shooting, when Master Bruin met him face to face. He had not time to raise his gun to his shoulder, but fired and missed. He was forthwith seized by Bruin with the most friendly embrace. But the animal for once found his match. Ross was a big man, of vast strength, and great courage, and he stoutly grappled with his antagonist; the bear bit him severely through both arms, but could not succeed in getting at his head. The contest had now lasted some time. Ross had been deserted at the outset by all his people, and was almost overpowered with pain, and exhaustion from loss of blood, when he perceived that he was near the brink of the hill, and that below him was a preci-



pice of some depth. He succeeded in dragging the bear along till he reached the edge, and then by a judicious and sudden wrench shook off the animal and threw him over the precipice. The bear was not killed, but was so shaken by the fall, that he skulked off, either unwilling or unable to renew the encounter, and thus left the Colonel master of the field. Ross was dreadfully injured, and for some time it was thought he could not survive; a lock-jaw being especially apprehended from the great variety and depth of his wounds; but his strong constitution carried him through, and the fine, gallant Highlander eventually recovered, to drink "another bottle" in memory of that wonderful conflict.—Few men have ever survived to tell a tale so strange and yet so true.

FITZSTANHOPE.

Calcutta, July 10th, 1836.

*E. I. U. S. Journal.*

## THE CULTURE AND PREPARATION OF COTTON.

The following condensed account of the culture and preparation of cotton, derived from various valuable sources, will be found fraught with much interest to the mercantile reader. It enters so deeply into an examination of a most ingenious and important manufacture, that no reader, indeed, can peruse it disinterestedly, or without instruction; and, with this impression, we have no hesitation in increasing its Indian circulation and recommending it to our Home patrons, through the medium of our columns.

The importance of this article is best shewn by the great national benefit which has resulted to America from the capital and skill which have been employed in the cultivation of its cotton. The quantity of American cotton exported annually is, 294,310,115 lbs., the value of which is, 29,359,545 Spanish dollars, 6,330,651*l.*; whereas, the total export from all India was only 68,411,015 lbs., the value of which, at 25 shillings per maund of 80 lbs., would be 1,068,922*l.*; so that the importation of the American cotton in Britain has increased from about 19,000 lbs., to 294,000,000 lbs., and the increase of the Indian cotton is but 68,000,000. Our information is derived from Mr. Crawford, who is of opinion, however, that, supposing the same capital and skill had been employed in the cultivation of cotton in India, as was employed in the United States, a similar increase in the exportation of India cotton might have taken place. The cultivation of cotton, hitherto, has not been con-



sidered of primary importance; the ordinary kind cultivated has been for the most part the coarsest, because they are the most easy to rear; the finer varieties are very rare. The great objection to the Indian cotton has been owing to its want of strength in the staple, always dirty, short in fibre, coarse, and the seed adheres very closely to the wool. The consequence is, that there has been no cultivation of cotton by Europeans in Bengal. It has been supposed that the province of Bengal is not fit for the cultivation of cotton, because it has afforded none for exportation; but this is entirely owing to a want of skill and attention; for instance, there is a superior growth of cotton extending about 40 miles along the banks of the Megna, and about three miles inland; it is from this the fine muslins of Dacca are produced. This happens to be cultivated by the Natives alone. Dr. Roxburgh has given an account of the Dacca cotton; he designates it a variety of the common herbaceous annual cotton of India, and states that it is longer in the staple, and affords the material from which the Dacca muslins have been always made. But good cotton can be made in Bengal, has been fully shewn by Mr. Piddington, who has exhibited samples of cotton; the field growth of his estate, 40 miles north-east of Calcutta. This cotton thrives so luxuriantly as frequently to oblige him to root it up. Mr. Piddington was of opinion that there was no fear of its degeneration, as he had cultivated it for some years. Some Liverpool merchants examined this cotton and declared their decided opinion that it was a very useful description, clean, and fair in colour and staple, and, moreover, that it would meet with a ready sale in the Liverpool market at 6½d. per lb.; while the average quantity of other East India cotton, commonly sold under the denomination of Surat and Bengal, was not worth more than 5d. per lb. and that of nine-tenths of the cotton grown in the United States of America, is of the value of 6½d. per lb. We proceed, however, to allude to facts, to shew that Bengal as well as India generally possesses climate and soil to afford cotton in the greatest quantity and in the greatest perfection, capable of producing sufficient for the consumption of the European market. All that is desiderated is the proper application of European skill and capital. Fifteen thousand bales a week of cotton has been consumed annually in Liverpool, and the consumption of cotton in Bukar is increasing with extraordinary rapidity. We are in possession of some interesting documents regarding the introduction of the Sea island cotton. The introduction of cotton-



into Georgia and Carolina, has always been deemed a subject of paramount importance. For domestic purposes it appears that cotton was introduced from Virginia into Georgia, anterior to the revolutionary war. At this period Sir R. Arkwright had invented a spinning-wheel, and cotton became a matter of deep interest in England. It rose in price in consequence; its various qualities began to attract notice, and the world was searched for finer kinds. The island of Bourbon was also found to produce them, which resembled a green seed cotton with which twenty acres had been cultivated by Colonel Dellegal upon a small island near Havannah before the revolution. The seed, however, from Bourbon, strange to say, could not be naturalized at Georgia. The Sea island cotton was introduced directly from the Bahama islands into Georgia. The quality of the Bahamas cotton was then considered among the best grown: it was first cultivated in the spring of 1787 upon the banks of a small rice-field in St. Lonan's island. The land was rich and warm, the cotton grew large and blossomed, but did not ripen to fruit; it, however, rooted and grew from the roots the following year. The difficulty was now over: the cotton adapted itself to the climate, and every successive year, from 1787, saw the long stapled cotton extending itself along the shores of Georgia, and into south Carolina where an enlightened population, then engaged in the cultivation of indigo, readily adopted it, all the varieties of the long staple, or at least the germ of those varieties came from the seed; differences of soil developed them, and difference of local situations are developing them every day. The same cotton seed sown in one field will give quite a black and naked seed; while the same seed, sown into another field, different in soil and situation, will run into large cotton with long boles and pods, and with seeds tufted at the ends with fuzzy. A particular kind of cotton equal to any in the South Sea islands, was cultivated in the neighbourhood of Sylhet hills. The cotton at Madras is generally valued at 100 rupees per candy, but Tinnevelly and Ramnad cotton is valued at 120. As a proof what may be done on this side of India, a gentleman, connected with Gisborne and Co. who resided at Benares, got a few seeds of Brazil cotton, which he cultivated in his garden there, for two or three successive years, and produced three bales of cotton at last, which he sent down to Calcutta for shipment to England. Gisborne shipped them to London, where they sold for 1s. per lb., at the time that



Indian cotton was generally between fourpence and fivepence. —Very fine cotton has been produced at Salsette by Dr. Scott equal to Bourbon cotton. There is also a village near Manyrola in Kattywar, called Labarecote, which produces some of a very fine quality indeed; which is cultivated by Natives entirely. We shall now look into additional facts, gleaned from the Report of the Select Committee of both Houses of Parliament as to the cultivation of cotton; evidence sufficient to shew that by improved cultivation, and by selection of seed, the Bombay cotton could be produced to equal the Sea island cotton, and, therefore, that as good and useful cotton be grown in the East Indies as in America, and the cotton from this or kidney seed will produce four times the quantity which the present growth of cotton does, and be much more easily cleaned. As to the question of climate, the cotton-shrub is indigenous throughout the peninsula of India, from Ceylon in the south, to the foot of the Himalaya mountains in the north; and various kinds have long been known to the Native cultivators, viz. annual, biennial, and cotton of several years' duration; some kinds scarcely reach the height of one foot, others attain ten or twelve feet, and some a still greater height. The species which is in cultivation in India is an annual shrub, a variety of the green seed kind, yielding a white pod. Of this there are subvarieties, of some of which the wool is more easily separated from the seed than of others. Some of the cotton plants have brown, yellow ash-coloured, and iron grey pods; the seeds of some species are black, grey, and red.

The objection to the Indian cotton has been shortness of staple, and of its not being sufficiently cleansed from these seeds, leaves, and other matters, to remedy which the Court of Directors obtained from America patterns of the most approved machines in use in Georgia and Carolina, for separating the wool of the cotton from its seeds; and they also, in the year 1813, engaged the services of Mr. Metcalfe, who had for some years carried on the business of a cleaner of cotton in Georgia, who, after a residence of some time in India, finding his endeavours to induce the Natives to use American machines were fruitless, gave up his employment. The Marchioness of Hastings procured from England, in the year 1822, a supply of seeds of the Brazil and Barbadoes cotton which she cultivated at Barrackpore, and distributed the seed among the husbandmen in the neighbourhood. The cotton thus raised was delivered to the commercial residents at the factories of Santigue and Haripaul, and wrought



into muslin. Bourbon cotton was cultivated in the province of Tinnevely; but it appears the climate was opposed to the extension of the culture. Cotton has been grown to some extent in the southern Mahratta country, but of an inferior quality to the Guzerat cotton.

The common annual cotton will come to maturity in four or five months, but in cultivating the finer kinds in India, and elsewhere, they may, by care, be made to ratoon, that is, to grow from the roots, and then the varieties which are annual will become perennial, and be cultivated for three, four, or even five years; but that is not the general practice. In India, the seed is sown, the plant grows up, the cotton is taken from it, and it perishes within the year. The greater part of the American cotton is annual; that of the Sea Island is perennial. The Upland, or termed Georgia short stapled cotton, has been improved by continually changing the seed, using fresh seed every year. The plant degenerates after one year's growth. The growth of the United States is confined to two qualities,—Sea Island and Santa, or long stapled growths. All the rest are short stapled, and denominated Upland. The Santa, as well as the Sea Island, are superior to all other growths. The cotton of Brazil is superior to short stapled American cotton generally, but not superior to Santa or Sea Island. Indian cotton, being short stapled, is governed in price by the American growths of short stapled cotton, and the prices of India generally bear a proportion of two-thirds of the value of American. The great inferiority of price of the Indian cotton is owing to its being shorter in staple, and having more dirt and waste in being manufactured. It is inferior generally, both in regard to staple and requires more labour to clean it. Indian cotton in Europe at 3d. per lb., with any sort of cleaning, affords a profit superior to the cotton at 6d. per lb. which is already cleaned. Spinners say, that they would rather have cotton from India and clean it in Europe, than have it tampered with in the cleaning; either from their ignorance or some circumstance, the fibre of the cotton has become injured in the cleaning. Nothing equals the screwing of Indian cotton. The violent application of the screw does not injure the fibre of the cotton, it expels the external air, and cotton will keep with all its qualities for very many years. It is necessary to clean it, in all cases, previous to its manufacture. The best species of Egyptian cotton is superior to every description of cotton that is grown, except the Sea island and long staple American



cotton ; and dealers in Europe are now receiving from Egypt an improved culture from Sea island seed, which is greatly appreciated by manufacturers, and promises to rival the growth of the Santa cotton. The finest India muslins are made from the common cotton of the country, the short staple grown in Bengal. The whole of the manufacture being by hand-spinning, there is a greater tension from the moisture which the hand gives them, than can be had from anything in the shape of machinery ; a fine yarn can be produced by hand-spinning from a short staple, which, from spinning, will not touch at all. The thread of muslin is spun by the hand in India. In America, cotton undergoes great improvement in respect of cleaning. The Brazilians have fallen off in the cotton. Imperfection in the mode of cleaning very materially affects its value ; the least particle of dirt or dust in cotton is sure to break down the thread. It is possible to clean cotton as perfectly after it has been imported in Europe, and packed a number of months, as it is at the time it is first taken from the ground. The cotton is not injured from the presence of dirt, nor by confinement on board ship ; it has been kept for twenty years and then worked remarkably well. The inferiority of the India seed, is known by stripping it of the husk : pressing the thumb upon it breaks it like dirt. The Kidney, the Brazilian seed, stripped and pressed, oil appears, which shews its superior strength. The Pernambuco is the strongest, and produces the fullest quantity and quality of all seeds. Cayenne and Surian are also very good, and contain oil. The Brazilian seed, considering quantity and quality, and treating it with attention in the East Indies, would prove superior to some, and equal to any but the Sea island, which is grown from Persian seed taken from the Bahama islands. It is a very pure cotton, having a very fine silvery gloss upon it, and is fit for any purpose to which the article is appropriated.

### MEMOIR OF THE REV. W. CAREY, D. D.

LATE MISSIONARY AT BENGAL.

*(Continued from No. 75, page 141.)*

The instability of the Missionaries' affairs, alluded to in our last, led them to form plans for the improvement of their condition. It was Dr. Carey's determination, that, experience what ever hardships he might, he would proceed steadily with the views of his Mission in India. He was not scared by a common



obstacle, but the following was one as extraordinary as unexpected:—At a time when Carey hourly expected to be informed by his employer (Mr. Udny) of his inability to continue the Missionaries in his employ any longer,—at this most unfavorable juncture, Carey was astounded at the subjoined orders from the E. I. Company.

The Company directed “that all Europeans, not in the Company’s Service, should take out certificates as free merchants, or persons permitted to stay in India for a certain time.” The bonds for the first (says Mr. Carey) are very great, for the second, more moderate. Bondsmen are to be creditable people, either in England or here. Mr. U. (Udny) and a Mr. Creighton have offered themselves as my securities, and similar securities have been extended to our friends, excepting Brother Fountain (a newly arrived Missionary) with respect to whose claims (seeing he holds not mercantile or other situation in India) there is some difficulty. Some worldly employment, however, is necessary to any one of us being permitted to remain in this country. Should more Missionaries come over, (which were fully expected) it will be necessary for the Society to devise some means to give us leave to use the names of some individuals as bondsmen to the Company on their account. Orders are issued, for every ship that arrives, to give in a list of all passengers, without which she would not be permitted to land. The Magistrate of Dinagapore sent to us and all other residents in his district, to send in our names, abodes, business, &c., and we did so. They give out covenants to some persons licensing them to stay in India for a limited time; Mr. Fountain has been refused.” The fact was that Fountain’s spirituality suffered a slight admission of political feeling, and the circumstance was noticed. More than once Carey lectured his assistant on this topic, and overcame the predisposition with some difficulty.

Soon after the above events occurred, Carey projected an excursion to Bootan (an excursion of seven days’ travel from the location of the Missionaries.) We quote the account of the expedition as extremely amusing and instructive, although it has betrayed us to a more extensive occupation of our pages than we had premeditated.

“Mr. Thomas and myself are just arrived at home from an excursion to Bootan, in which we preached in many places, and were attended to with great ardour. I will relate a little of our expedition. We set out from Moypaldiggy on the



6th instant, and arrived on the 10th, (March, 1797,) in the Bootan country, viz., that part which is below the hills, for we did not ascend the mountains, our time not being sufficient to permit us to go through all the formalities required thereto. We went to a place called Gopalgunge, and waited on a Bootea officer, called the Jinkof; he received us very kindly, and we presented him with a few articles with which he was much pleased. Here we found that it would be necessary to see some more officers, and to get a regular permission to ascend the hills. The greatest part of the day we were in his house, which is large and made with bamboos and mats, with saul-tree pillars, and has an upper floor, on which he lives, made with split bamboos. He made us a present of some pieces of bacon, about a foot long, but which were so stale as to be smelt at a great distance. After that, he treated us with tea, which they call runga. The teapot is a large bamboo, with a hole perforated through one of its knots on the inside, which is the spout; the tea is made into cakes with some composition, and is, when used, mixed with boiling water, ghee,\* and salt. We tried in vain to swallow it, though the Bootea drank very copiously of it. His kindness, however, was very conspicuous, and he drank our rum more than we wished him. The Booteas are greatly addicted to drinking spirits; and in all their houses you see large pitchers (Culsees) about as large as a small bucket, full of Bengal arrack, which they drink as we should water. They are a very stout, robust people, and with respect to dress, colour, and appearance, are like an amazing stout, athletic English waggoner, much weather-beaten. They have no stockings, but their dress is like a waggoner's frock, except the higher ranks, who have a garment much like an English gentleman's morning gown, of blue, red, or green stuff, with large figures wrought in it, like diaper. The women are tolerably white, their dress a petticoat, and a cloth which is so fastened from the shoulders to the waist as to appear like a monstrous pouch over the breasts, in which they keep every portable article, as in a pocket. Their hair is parted on the top of their head, and we saw no covering for the head of the females, though the men in office had different coverings for the head.

"From Gopalgunge we went to Bote Haut (the natives call themselves Botes, but the Hindus call them Booteas,) to see

\* Ghee is butter melted down and then preserved for use, and is much used in all parts of Bengal.



the Soobah, who is the greatest officer; that is, a kind of viceroy below the hills. A letter having been sent to him from the Jinkof, he sent two horses to attend us, and the Jinkof himself went with us. The procession was the most comical and singular that could be imagined, yet strongly proved their great attention to us. We were preceded by a band of Bengal music, if such it can be called; we were six horsemen, and servants, people to carry our baggage, tents, &c., (which, in travelling by land in this country, must be carried on men's shoulders,) and spectators. We had near a hundred attendants on foot. On one horse was the Jinkof, led by two men, notwithstanding which he was sometimes first, sometimes last, and sometimes turning round, his horse being ungovernable: every mile or two he was stopping to drink spirits. A Hindu on another horse was much like him, except drinking; and we had enough to do to keep our horses out of their way, to effect which, we were always wheeling to the right or left. At our approaching the town, a number of females met us, and made their salam, after which they ran before the horses, and all the inhabitants of the place, I should suppose two or three thousand, all Hindus, joined the procession.

“ We went in this manner to the Soobah's house, who received us with great politeness, made us presents of silk, viz., a white scarf, in the name of the Grand Lama, a red one, in his own name, and another red one, in a friend's name. After receiving the presents, we ascended the ladder to his house, which was like the Jinkof's, but much larger, and more elegant; it had four rooms on the upper floor, which were entirely covered with mats. At the further end of the principal room was the seat of the Soobah, raised about two feet from the floor, and covered with red cloth. Thin gauze curtains were hung round it, and on this we were seated by the Soobah. On two sides of the same room were seats for the servants, raised about six inches from the floor, and, like the Soobah's, made with planks of saul timber, but covered with sackcloth. A window, of about a foot deep, made of lattice-work, ran throughout the two sides on which the servants' seats were placed, those only being the outward walls; and a curtain of white cotton cloth was placed just above the window. On this curtain were hung shields and helmets; and under it, matchlocks, bows, and arrows. The under part of the house serves for a stable, &c.



" The genuine politeness and gentlemanlike behaviour of the Soobah exceeded every thing that can be imagined, and his generosity was astonishing. He insisted on supplying all our people with every thing they wanted ; and if we did but cast our eyes to any object in the room, he immediately presented us with one of the same sort. Indeed, he seemed to interpret our looks before we were aware ; and in this manner he presented each of us that night with a sword, shield, helmet, and cup, made of a very light beautiful wood, and used by all the Booteas for drinking in. We admiring the wood, he gave us a large log of it ; which appears to be like fir, with a very dark beautiful grain : it is full of a resin or turpentine, and burns like a candle if cut into thin pieces, and serves for that use. In eating, the Soobah imitated our manners so quickly and exactly, that though he had never seen a European before, yet he appeared as free as if he had spent his life with them. We ate his food, though I confess the thoughts of the Jinkof's bacon made me eat rather sparingly. We had much talk about Bootan, and about the gospel ; and the appellation of Lama was given to us, which appears to mean teacher, and which title is emphatically given to the Grand Lama.

" We found that he had determined to give all the country a testimony of his friendship for us in a public manner ; and the next day was fixed on to perform the ceremony in our tent, on the market-place. Accordingly we got instructed in the necessary etiquette ; and informed him that we were only coming a short journey to see the country, were not provided with English cloth, &c., for presents. The time being come, we were waited on by the Soobah, followed by all his servants, both Booteas and Hindus. Being seated, we exchanged each five rupees and five pieces of betel, in the sight of the whole town ; and having chewed betel for the first time in our lives, we embraced three times in the eastern manner, and then shook hands in the English manner ; after which, he made us a present of a piece of rich debang, wrought with gold, each a Bootan blanket, and the tail of an animal called the cheer cow, but we could not ascertain what animal it was. The Soobah says it is kept tame, is as large as a buffalo, and lives only on the tops of the highest mountains, which are covered with snow. The tail is as bushy as a horse's, and is used in the Hindu worship.

" When the ceremony was over, we were conducted to the Soobah's house, and found there another officer, I believe the



Vakeel, or attorney of the court below the hills. This man was just the reverse of all we had seen. He had been to Calcutta, and was a man of great consequence in his own eyes. He sat on the Soobah's seat like a statue, and never rose when we went in, which the Soobah, a much greater man, always had done. When we sat down, he began a long discourse with the others in the Bootan language, which, as we did not understand, we also talked to each other in English. All this time, a servant, by his orders, was poking a lighted torch just in our faces, that he might stare at us. Mr. T. ordered it away. He then asked how many servants we kept. Mr. T. told him if he would go to our houses, he might satisfy himself about that. He then enquired if we had a tent; we answered in the affirmative. All this was to see whether we were great men or not. We treated him with as little ceremony as he did us, and after exchanging a few angry words with the Soobah, he took an abrupt leave. The Soobah was then transported with rage, and threatened him dreadfully; tore off his upper garment, seized a cresse, (a kind of dagger) struck it into the table, beat his breast, and threatened to go after and kill him. We tried to appease him, and were successful; but declined going up the hills, as we found it was necessary to wait for an order from Pargong, the seat of Pelen Rajah, who is a kind of minister of state to the Deb Rajah; or, perhaps, to have waited till an answer had been returned from the Deb Rajah himself, whose palace, if we were not misinformed, is at Tassasooden. Our people were much afraid; for though the Hindus had, till now, expressed the greatest confidence in the gentleness of the Booteas, they now began to propagate a great number of bloody tales, and nothing was heard but the insincerity of the Booteas. We were not quite so timid, though we were not without our cogitations. We, however, laughed at the people, and told them to run away for their lives, if any danger appeared; and we then ordered that no gun should be loaded (we had taken a gun or two for fear of wild elephants, &c.) and no additional care whatsoever manifested, though we were certain the people would not sleep much that night.

"In the morning, the Soobah came with his usual friendship, and brought more presents, which we received, and took our leave. He sent us away with every honour he could heap upon us; as a band of music before us, guides to shew us the way, &c.; in short, the whole of his conduct towards us was unvariedly as generous, polite, and friendly, as I have ever wit-



nessed. I suppose the unhappy quarrel, above-mentioned, arose from the Wakeel thinking himself a great man, and somewhat slighted in not having any present from us; but in truth, we had nothing to present. The Soobah is to pay us a visit in a little time, which I hope to improve for the great end of settling a mission in that country.

“So great a contrast I have never before seen between two neighbouring nations, as the Booteas and Hindus. The latter are small, puny, fearful, people; the former, athletic and fearless. They have a great curiosity; we gave them several articles, as a looking-glass and a pocket compass, which were examined in every point of view. They have a written language, and, I am informed, many books (I suppose religious) written in it. The names of the letters are the same as the Bengali language, with a few exceptions, and are written in the same order, with only this difference, that the Bengali has five letters in a series, or line of the alphabet, but the Bootea only four. I intend to inclose a part of a letter which accidentally fell into my hands there; it is imperfect, one end being torn; yet is a fine specimen of their writing. I think the accent of the Bootea language not much unlike that of the French; but more acquaintance with it may alter my mind in that particular. I am to be furnished with a Bootea Moonshi, and Mr. T. with another.”

*(To be concluded in our next.)*

## THE PROGRESS OF NATIVE EDUCATION IN INDIA.

We look upon the task of infusing the principles of education into the mind of the native Indian as Herculean. It is like inscribing upon granite the myriads of differently-applied letters in a language. An existence might be devoted to the labour, ere it could be said to have advanced midway to its consummation. So, we are impressed, will it prove with the project for educating the Hindoo. The difficulties that attended the primary efforts of the Missionaries in their pilgrimages in the cause of religion amongst the Indians, must be experienced over again, ere the stolid mind of uncivilized man expand and become fruitful under the influence of human exertion. We are confirmed in this belief by the report which we append. The deplorable apathy, the prostration of all intellectuality, which, Mr. Adam informs us in his Report, is so common amongst the natives, cannot but cool the most energetic advocacy in favour



of native education. We would not say that the philanthropic views entertained on the subject are chimerically founded; but we feel, nay, we have palpable evidence, that the project will not progress sufficiently to incite to further ardour, or repay the exertions devoted to it; unless, indeed, such ardour and exertion proceed in a different channel. The measures now in force for the instruction of the Hindoo are in a crude, unmaturing stage,—What benefit can possibly accrue to an institution which employs in aid of its objects a majority of native teachers whom the Report we are examining proves to be as ignorant themselves, as those they are placed over to *educate*? The system appears to be altogether radically bad, and we trust, the strictures of Mr. Adam on the subject, will attract the notice of the highest Indian authorities, in order that they may consider and adopt some better system in furtherance of a philanthropic, although temporarily an ineffective, object. We are assured, that did the E. I. Company communicate with the British Government upon the matter, the result would prove extremely gratifying to every friend of native education; and we will add, that Mr. Adam appears to us an individual whose public attainments render him a most eligible party to superintend any ulterior measures to be anticipated from the procedure we have presumed to recommend.

The instructions, for the formation of his Report, which Mr. Adam received from the Educational Committee, we deem worthy of preliminary extract, as dictated by sound wisdom:—

“ My instructions state that the General Committee deem it more important that the information obtained should be complete as far as it goes, clear and specific in its details, and depending upon actual observation, or undoubted authority, than that you should hurry over a large space in a short time, and be able to give only a crude and imperfect account of the state of education within that space. With a view to ulterior measures, it is just as necessary to know the extent of the ignorance that prevails where education is wholly or almost wholly neglected as to know the extent of the acquirements made where some attention is paid to it.”

In conformity with these views Mr. Adam confined his enquiries to one Pergunnah, that of Nattore. Nattore is, perhaps, intellectually, the most forward of any section in that Zillah. It is scarcely fifty years since it was adorned with the Court of Ranee Bhuwanee, one of the most splendid of the great Zemindar's Courts in Bengal. We have often heard it traditionally



spoken of, as the "Fifty-two lakh Zemindarce." The residence of the Court could not fail to impart a tone of civilization and intellectual superiority to the sphere in which it was fixed. We may, therefore, reasonably conclude, that if the present condition of Nattore, as it regards education be deplorable, that of the other Pergunnahs must be still more so.

In the Returns made by the Darogas to Mr. Bury in 1834, the population of Nattore is estimated at 185,409. This, is of course, below the real number. The natives, official or private, always contrive to err on such occasions on what they consider the safe side, and, mistaking the object of the census, to give in returns below the truth. The proportion of Mahomedans to Hindoos in Nattore is as 1000 to 506.1. The former are thus shewn to be double the latter, and the same relative proportion exists throughout the Zillah. This may possibly be accounted for from its position, lying as it did between the three great Mahomedan capitals of Gour, Moorshedabad and Dacca. Considering this census as affording a tolerably accurate idea of the relative proportion of Moosulmans to Hindoos in the Eastern provinces of Bengal, we begin to suspect the accuracy of the estimate which has been implicitly received for more than half a century, and which gave an average of seven Hindoos to one Mahomedan throughout Bengal.

The number of Elementary Schools in Nattore is 27; the number of scholars 262. They are thus divided:—

		Scholars.
10	Elementary Bengalee Schools . . . . .	167
4	" Persian Schools . . . . .	23
11	" Arabic Schools . . . . .	42
2	" Persian and Bengalee . . . . .	30

The Bengalee Schools teach nothing but the mere elements of reading, writing, and accounts, and are chiefly, if not entirely, resorted to for the purpose of giving the scholars a sufficient knowledge of letters and figures to enable them when grown up to transact business, which requires the use of the pen. There is not the slightest intellectual or moral cultivation imparted by them. The character of the masters is thus described by Mr. Adam:—

"The teachers consist both of young and middle-aged men; for the most part simple-minded, but poor and ignorant, and therefore having recourse to an occupation which is suitable both to their expectations and attainments, and on which they reflect as little honor as they derive emolument from it. They do not understand the importance of the task they have under-



taken. They do not appear to have made it even a subject of thought. They do not appreciate the great influence which they might exert over the minds of their pupils, and they consequently neglect the highest duties which their situation would impose, if they were better acquainted with their powers and obligations. At present they produce chiefly a mechanical effect upon the intellect of their pupils, which is worked upon and chiseled out, and that in a very rough style, but which remains nearly passive in their hands, and is seldom taught or encouraged to put forth its self-acting and self-judging capacities. As to any moral influence of the teachers over the pupils—any attempt to form the sentiments and habit, and to control and guide the passions and emotions—such a notion never enters into their conceptions, and the formation of the moral character of the young is consequently wholly left to the influence of the casual associations amidst which they are placed, without any endeavour to modify or direct them. Any measures that may be adopted to improve education in this country will be greatly inadequate if they are not directed to increase the attainments of the teachers, and to elevate and extend their views of the duties belonging to their vocation.

“ The remuneration of the teachers is derived from various sources. Two teachers have their salaries wholly, and another receives his in part, from benevolent individuals who appear to be influenced only by philanthropic motives; a fourth is remunerated solely in the form of fees; and the remaining six are paid partly by fees and partly by perquisites.

“ The total income of the teachers from fixed salaries, and fluctuating fees and perquisites varies from three rupees, eight annas to seven rupees eight annas per month, the average being rather more than five rupees per month.”

There are no school houses for these village schools, and no printed books; and even manuscript works, though they exist in the district, and are sometimes read at home, are not employed in the School. And this is the whole amount of education in the vernacular tongue in the schools, among a population of nearly 200,000.

The Persian Schools are of a higher order, both as it regards the character of the masters, and the course of instruction. The first book that is put into the hands of the student for the purpose of being understood, is the *Gulistan* of Sadi, containing lessons on life and manners; and this is followed or accompanied by the *Bostan*, of the same author. This is succeeded by the



perusal of the most popular poetical productions, such as Joseph and Zulickha, the loves of Leila and Majnun, the Secunder Nameh, an account of the exploits of Alexander the Great, &c. &c. Upon the whole, the course of Persian instruction, even in its less perfect forms, has a more comprehensive character, and a more liberal tendency than that pursued in the Bengallee Schools: "The Elementary Arabic Schools are for instruction in the formal or ceremonial reading of certain parts of the Koran; they are 11 in number, and contain 42 scholars. The teachers possess the lowest degree of attainment to which it is possible to assign the task of instruction. No institutions can be more insignificant or useless, and in every respect less worthy of notice, than these Arabic Schools, viewed as places of instruction; but however worthless in themselves, they have a certain hold on the native mind."

There are two Elementary Schools in which Persian and Bengallee are both taught, Bengallee instruction is given in writing and agricultural accounts, and Persian instruction in the reading of the Pundnameh, Gulistan, and Bostan.

Besides the Schools thus enumerated, Mr. Adam calculates that in the 485 villages of which the Nattore division consists, domestic instruction is afforded, in 1,588 families residing in 238 villages, to about 2,382 children. It is not always the father who gives this instruction, but quite as often an uncle or elder brother. Of the 1,588 families, in which something like a domestic education is given, 1,277 are Hindoos, and 311 Mahomedans. This proportion, with the proportion previously established between the entire population of the two classes, affords a measure of the comparative degree of cultivation which they respectively possess, the proportion of Moosulmans to Hindoos being about two to one; the proportion of Moosulman to Hindoo children, receiving domestic instruction, being less than one to four. This disproportion is explained by fact, that a large majority of the humblest ranks of society in the district are Mahomedans. The instruction given in families is still more limited and imperfect than that given in the schools.

Of schools of learning, Mr. Adam found but one belonging to the Mahomedans in the division of Nattore. It is the Mudrissa of Kusbeh Bagha, which was endowed nearly two hundred years ago, in the family of Sheikh Abdul Wahab, and in which both Persian and Arabic are taught. As one-fourth of the estate was originally appropriated to the purpose of instruc-



tion, and as its annual produce is now estimated at 32,000 Rs. a year, 8,000 Rs. should be the sum allotted to the College; yet, Mr. Adam found that the Persian students numbered only 48, of whom a fourth were absent, and that the Arabic students were but seven in number.

Mr. Adam gives the following account of the English School established at Bauleah, and which has been suspended for want of funds.

"The School was established in July, 1833, and placed under the care of an English teacher, receiving 80 rupees per month, with an assistant, receiving 20 rupees, and a Bengalee teacher, receiving eight rupees. The English teacher, in addition to his salary, had a bungalow built for him, at a cost of 800 rupees, which he occupied rent-free; and a School-House was built at an expense of 1,200 rupees. With economical repairs and proper care, both the houses might last fifteen years. The expense of books, pens, paper, ink, and sweeper to keep the School-House clean, was estimated on an average of 12 rupees per month. The current monthly expenditure thus amounted to 120 rupees.

"The teacher's house and the School-House were built by subscription, and the current expenses were defrayed by the same means. The subscriptions never amounted to more than 138 rupees per month, and, at the time the School was suspended, they had fallen to 86 rupees per month, in consequence of several friends to the institution having left the station. Even the latter amount could not be regularly realized from the nominal subscribers, the unpaid arrears amounting to 668 rupees, and a balance being due to the School establishment of 274 rupees. The subscribers were public functionaries, indigo planters, zemindars, and native officers of the courts; Christians and non-Christians in nearly equal proportions."

There are in the division of Nattore also, no fewer than 38 schools of Indoo learning, in which Sanskrit is taught, the total number of students being 397. Mr. Adam has gone very fully into the internal organization of these seminaries of learning. In reference to the Sanskrit teachers of the district, Mr. Adam observes:—

"I saw men not only unpretending, but plain and simple in their manners, and although seldom, if ever, offensively coarse, yet reminding me of the very humblest classes of English and Scottish peasantry; living constantly half naked, and realizing



in this respect the descriptions of savage life; inhabiting huts which, if we connect moral consequence with physical causes, might be supposed to have the effect of stunting the growth of their minds, or in which only the most contracted minds might be supposed to have room to dwell—and yet several of these men are adepts in the subtleties of the profoundest grammar of what is probably the most philosophical language in existence; not only practically skilled in the niceties of its usage, but also in the principles of its structure; familiar with all the varieties and applications of their national laws and literature; and indulging in the abstrusest and most interesting disquisitions in logical and ethical philosophy. They are in general shrewd, discriminating, and mild in their demeanour. The modesty of their character does not consist in adjectness to a supposed or official superior, but it is equally shewn to each other.

The conclusion to which I have come on the state of ignorance both of the male and female, the adult and the juvenile, population of this district, require only to be distinctly apprehended in order to impress the mind with their importance. No declamation is required for that purpose. I cannot, however, expect that the reading of this report should convey the impressions which I have received from daily witnessing the mere animal life to which ignorance consigns its victims unconscious of any wants or enjoyment beyond those which they participate with the beasts of the field—unconscious of any of the higher purposes for which existence has been bestowed, society has been constituted, and government is exercised. I am not acquainted with any facts which permit me to suppose that, in any other country subject to an enlightened Government, and brought into direct and constant contact with European civilization in an equal population, there is an equal amount of ignorance with that which has been shewn to exist in this district. Would that these humble representations may lead the Government of this country to consider and adopt some measures with a view to improve and elevate the condition of the lower classes of the people, and to qualify them both adequately to appreciate the rights and discharge the obligation of British subjects. In such a state of ignorance, as I have found to exist, rights and obligations are almost wholly unknown, and society and government are destitute of the foundations on which alone they can safely and permanently rest.



## THE CONJEVERAM TEMPLES.

"I imagine that the ceremony (the Car Festival of Juggernaut) would soon cease to be conducted on its present scale,—if the institution were left entirely to its own fate, and to its own resources, by the Officers of the British Government."  
*Stirling.*

*To the Editor of Alexander's East India Magazine.*—SIR,  
 A correspondent at Madras has favored me with a file of papers, entitled the *Philadelphian*, from June 10th to Sept. 8th, 1836, from which the following interesting article, originally from *The Friend of India*, July 21, is copied. It was re-published at Madras, in *The Conservative*, and is entitled, THE CONJEVERAM TEMPLES, and thence copied into one of the papers adverted to. Its perusal, at the present crisis of the question of British Patronage of Idolatry in India, cannot fail of interesting every real friend of India.

"Among the labours of a public journal, one of the most gratifying is to record the progress of improvement in the sentiments of Government, and the conduct of the people, and we shall be excused for dwelling with delight on the happy change which appears so visible at the Madras Presidency, in regard to the countenance afforded by a Christian Government to idolatry. *The Conservative*, of the 8th of July, supplies the intelligence that 'the order recently issued, in respect of forced labour at the idol cars, is complete. They not only forbid the use of forced labour, but they forbid the Collectors' interference except for the purpose of preserving the peace.' A rumour had, it seemed, got wind at Madras, that the prohibition was merely a *ruse*, and that money had been supplied from the public treasury to the Brahmuns, to enable them to hire labourers. But the report was incorrect, though partially true. The money was remitted, not from the Treasury, but by three wealthy native gentlemen; and this fact goes far to shew how unnecessary were all the care and anxiety so long bestowed by Government on the car. The money reached Conjeveram; but the Brahmuns, instead of hiring labourers, very wisely bethought them of drawing the car themselves, and pocketing the bonus! Between two and three thousand priests assembled, and applied their own necks to the cables, and the procession was completed! We congratulate the Madras community on the wisdom of the order, and on the happy result it has produced. There is, assuredly, no measure of wisdom or folly, virtue or vice, which stands alone, and draws no consequences in its train. On the present occasion, three distinct and auspicious



cious results have followed this salutary order. In the *First* place, the Natives, at that Presidency, have been disabused of the notion, so long fostered in their minds by the conduct of the public authorities, that Government attached an idea of sanctity to the image, and that the annual procession was as grateful to the Right Hon. the Governor in Council as to the gods! *Secondly*,—the poor peasant and mechanic, who used to be forced from their homes, without remuneration, and compelled to drag the car, are now left in the undisturbed possession of their time and labour, and the country is spared the annual sight of an act of flagrant oppression perpetrated by the public ministers of justice! And, *Thirdly*,—the priests who fatten on the spoils of the idol, have been induced to put their own shoulders to the wheel. Never has the car been drawn by hands so holy since it was built.

“ The means are suggested by which the Madras Government may gradually disengage themselves from the management of the idol temples, the funds of which are administered their European officers, and it is justly observed, that the passing of any general law on the subject rests with the Legislative Council, sitting in Calcutta. A solemn duty, and a high responsibility, now rendered more imperative than ever, devolve on that body; and we hope, that with the express injunctions of the Court of Directors on their table, and the example of Conjeveram Temple before them, they will no longer delay the passing of an ‘ *Act for restoring the funds and the management of all Idol Temples, throughout India, to the priesthood who possess an hereditary right of control over them.*’ The Act will, of course, be merely declaratory of the great principle of separating the Hindoo ecclesiastical establishment from the State. The details of the measure, which must, in every instance, vary with the peculiar circumstances of individual shrines, will, of course, be confided, and with great propriety, to the Executive Government.

“ If any thing be wanting to demonstrate that the interference of the State, in the matter of Hindoo Temples, is altogether redundant, it is afforded by the example of Juggernaut, which gives this neighbourhood (Serampore) its celebrity. The idol, in our vicinity, stands second in public estimation only to the original image in Orissa. Without any interference on the part of Government, from a hundred to a hundred and fifty thousand devotees are assembled annually to draw the car; and even the delicate duty of dividing the



profits of this superstition, between the temple of Juggernaut and that of his brother and sister, which stands a mile distant, is amicably arranged without any reference to the officers of Government. The car, owing to its age and the ravages of white ants, had recently become very rickety; and, when at rest, described an angle somewhat similar to that of the leaning tower of Pisa. A new car was to be built; and it has been accomplished by private liberality, without any demand on the State. On Friday last, it was drawn out for the first time, under every disadvantage; for the new wheels, owing to the parsimony of the Brahmuns, had been supplied with little or no oil—grease is too unholy to be thought of—and the car moved heavily, and the creaking of the wheels was heard above the shouts of the multitude, and the rain poured down in torrents; yet the car reached its destination. Why cannot every Temple in India be put on the same footing with that of Muhoosh, near Serampore?—*Friend of India*, July 21, 1836.

The result of the discontinuance of British connection with the Temple of Juggernaut, in Orissa, is very forcibly shewn in a previous volume of the above work, when the writer was in India, Oct. 1825.

“Let the tax and the premium for bringing pilgrims be at once dropped; let all British interference with the idol, its temple, and worship, be withdrawn; and it is certain that this idol cannot long stand. If it did indeed, still the reproach and the guilt of blood would be for ever rolled away from the British nation. Virtues, the growth of a Christian land, would no longer be employed to uphold this most abominable and destructive delusion. It must, in future, stand through virtues of its own growth, or sink to ruin. Even the disappearance of all that order, regularity, and splendour, imparted to the worship of this idol, through British interference, could not be unnoticed by the Natives; and, with the multitude, this would weigh in the most powerful manner.—‘Why have the British withdrawn themselves?’—‘What is there in the worship of Juggernaut which has made them rather choose to give up every idea of profit thereby, than countenance it any longer?’—‘Surely this cannot arise from veneration. It must arise from the reverse.’ Thus, would a shock be given to this destructive delusion, which it has not received for ages. The mouths of the pilgrim-hunters would at once be stopped; for, all they might hereafter say, respecting the veneration for Juggernaut,



would be confuted, year by year, when these pilgrims saw at the festivals that they had wholly withdrawn themselves.

“Nor would its vast establishment, founded as it is on delusion, falsehood, and unfeeling cruelty, long continue in its present splendour, when it ceased to be upheld by virtues of Christian growth: British regularity, activity, and faithfulness, are virtues which Juggernaut’s worship is incapable of producing; and, without these, the larger the establishment and the sum annually received, the sooner would the whole fall into confusion. Selfish and rapacious, none of the pundas in the temple would trust one another. Whatever might be the sum received one year, part of which they would probably conceal from each other, no punda would have the enterprize to expend 60,000 rupees on the idol’s establishment as a speculation for the next year’s profits, of which, after all, others might deprive him! No one of them would have the activity to see that all the attendants did their duty. One would neglect to prepare Juggernaut’s food, and perhaps sell the articles; others would neglect his wardrobe; and others, the temple itself, both within and without. And as for the pundas being at the expense of adorning his car with the finest English woollens, from year to year, this would be out of the question. If they did it in one year they would neglect it the next, and thus the temple, with all its apparatus, would gradually sink into neglect and contempt. Even the delusion attached to the spot, when it was no longer guarded by British authority and vigilance, would soon cease. At present, the whole weight of British authority is employed to support the deception that Pooree is a place peculiarly holy, by refusing admittance to any one not authorized to enter by paying the tax, &c., &c., by compelling them to leave the town as soon as their permission expires. As these pundas would not be vested with magisterial power, they would have no right to support this delusion by the arm of civil authority. It must rest wholly on opinion; and in spite of all their endeavours, people would both enter and prolong their stay contrary to their commands, and thus, by degrees, the place itself would become too common to yield its present revenue. Thus, when left to itself, this object of idolatry would naturally destroy itself.”—Haste happy day.

AN INVALID MISSIONARY.

Lincolnshire, Feb. 11, 1837.



### AFFAIRS OF ALEXANDER & CO.

*To the Editor of Alexander's East India and Colonial Magazine*: Sir,—The substance of Mr. Fullarton's affidavit having been inserted in the *Asiatic Journal* for last month, and by you it may not be amiss to offer, through the medium of your Magazine, a few remarks upon it, addressed to the creditors of Alexander and Co. amongst whom are numerous readers of your periodical.

There is nothing but presumptions in this document the affidavit, to shew that the house of Alexander and Co. was *solvent* at any period in the time of the *four partners*, whose applications *as creditors* for dividends it refers to. We see, however, by it, that these four partners moved off between the periods of April 1813 and April 1819, comprising the very short space of time, in a commercial point of view, of *six years*! a circumstance which ought to startle the general creditors, and excite the deepest attention on their part to that extraordinary point—such precipitate retirements in such rapid succession from respectable firms of bankers or merchants in any country being without any example, and the last of these four partners having remained only six years in the house to acquire a fortune which enabled him to figure at an enormous and surprising expense after quitting the house in India and on his return to Europe.

It appears by this document, the affidavit, that the balance sheet was examined every three years, and the profits according to it divided off to the credit of the parties respectively, that is, monstrous large sums were carried to their credit and placed at their disposal; these balance sheets exhibited the amount of debts, such *as they were*, due to the firm, the amount of Company's paper, value of goods and *nominal value* of factories, ships, houses, &c. belonging to it, and from the aggregate of their assets, after striking off *something* to cover losses by desperate items, the amount of debts due by the firm being also deducted, very many lacs of rupees, indeed, turned out very handsomely to be divided as Mr. Fullarton has stated,—but if a due proportion of the five *crores* or *millions* of *assets* appearing on the books at the time of the stoppage had, as it ought to have been, struck off, what would have remained as profits to be divided? Why, certainly nothing; and, therefore, this dividing off is no proof that the house was solvent. It cannot reasonably be asserted that these five millions of assets were created just at the time of the stoppage—no, certainly not, for the creation of these assets must have been the work of some five and



twenty years and upwards, and chiefly through the operation of compound interest on bad debts as has been already shown. By the latest and best information from Calcutta, these *assets* will not turn out more than will reach to 6 per cent., if so much on the liabilities of the firm, and consequently these five millions of assets will prove worth no more than about 4½ per cent. on the amount. It appears quite impossible, therefore, to show by any reasoning or reckoning that the firm was at any time *solvent*; and it is manifest that the large sums carried to the credit of the partners respectively were not *bona fide* profits, but arose from fictitious reckonings of profits, and these credits to the accounts of the partners were further augmented by the operation of compound interest reckoned on the amount. There were also, it is said, large sums as profits carried to the credit of the five other partners, and Mr. Bracken has stated, in his examinations in the Court of Bankruptcy, that there were ten lacs of rupees at his credit as *profits* in the books of Alexander and Co., and had the credit of the house continued, he would have drawn these ten lacs of rupees from it! .“

The immense capital which the four retired partners brought home is matter of notoriety, and, perhaps, the real amount of it may be discovered in the books of the firm. Mr. Fullarton tells us that the legatees of the late Mr. Macan, who was worth a lac of rupees when he joined the house, received about eight lacs of rupees from the house as his share of *the profits* for the short time he was in it, exclusive of other sums which may have been drawn from the house by him or on his account. As to what Mr. Fullarton says of the large sums realized and carried to the credit of some of these four partners above alluded to, as arising from the sale of Company's paper, &c., which were, no doubt, purchased for them, with the sums already mentioned, and improperly appropriated as profits, which were not real, or parts of these sums remitted back to India from England, that was matter of course, and proves nothing as to *solvency*; and with respect to what he mentions of notice by circular to the creditors of the retirement of these four partners,—that does not appear to have been given in all instances, as one of the creditors, who was summoned to give evidence on the late trial, has sworn that he never received any notification of the retirement of any of these partners, or of the admission of others, and not one creditor has been called to prove his receipt of any such notification.

There is a point, however, advanced by Mr. Fullarton which



is quite correct, namely, the unbounded credit of the house of Alexander and Co. in the time of these four partners, and for many years after they left India—money was flowing as deposits from all parts of the country into their house—it is not, therefore, surprising that one of the Alexanders, as Mr. Fullarton has stated, expressed a wish to return to the house, and that they, the Alexanders, contemplated under such circumstances, the introduction of more of their relations into it. Is this meant as proof that the house was solvent? Mr. Abbott also, it seems, wished to become a partner—no doubt in consequence of the flourishing credit of the house—we have not heard, however, whether he deposited his money in it, and is a creditor or not. But when the system and practice of the house became apparent, viz., the partners retiring in rapid succession, and carrying away largely capital, this credit ceased, runs commenced, and, finally, a run which was not to be arrested by a gutted concern.

As to the assertion that the partners were men of property and station, &c., we know that of the Alexanders,—one was a subaltern officer, and two of them writers in the service of the E. I. Co., and we know also that cadets and writers carry no capital with them to India. With respect to the other partners they were the same sort of men of straw, with the exception of one who had, by estimation, a lac and a half of rupees, as Mr. Fullarton says, and if they did not carry away or remit home largely—capital, at least some of them married and made handsome settlements on their wives from *their shares* of the *profits*, and which enable them to live splendidly.

Once more the creditors in Europe are hereby reminded, that it is not too late to call a meeting, enter into a small subscription, employ solicitors to take their claims in hand against these four partners, who brought home from the house such enormous sums amounting to millions, and send out to India a fit person to examine and draw up an *expose* from the books of the house, shewing the amount of capital unduly extracted from it at different periods, and to such a degree as to leave nothing for the general creditors—none of the other houses in Calcutta that have stopped, have been drained to any thing like this shameless and monstrous extent!

It appears by Scott's *Calcutta Gazette*, that they recommend a proceeding of this nature, though another journal there deprecates the ruin in which it might eventually involve these four partners who are now living in the splendour of princes, but the editor of this journal thinks nothing of the ruin and starva-



tion which invalids, widows, and orphans are involved in by the misconduct of these and the other partners.

There is still time for the general creditors in Europe to act in this matter, the statute of limitations not yet having shut the door on them.

You are requested, in the interest of many of the poor, helpless sufferers in this nefarious matter, and, as many of the creditors are readers of your Magazine, to insert this letter in your first number, by Mr. Editor, a constant reader, and

Feb. 15, 1837.

A CREDITOR OF ALEXANDER AND CO.

### KING GEORGE'S SOUND.

We are indebted for the subjoined information, to a Correspondent at Madras, who has elicited the detail from a Gentleman some time resident in King George's Sound.

The establishment of these interesting Colonies will, we have no doubt, in a few years prove a blessing to the Indian community. The climate is said to be the finest in the world—the produce is already abundant, and the absence of a convict population will be hailed with delight by the wise and the good who may seek change or renovation in the southern hemisphere.

How long were you settled at the Sound before you last left it?—Thirteen months.

What number of inhabitants are there now?—About 200 Europeans.

What number of houses are there built in Albany the principal town of the settlement?—About 40 and more building.

Of what description are the houses that are built?—Stone, brick, pizee, brick nogging and a sort of lath and plaster.

Is there much land in cultivation?—Not much at present.

Is wheat grown to any extent, and if not sufficient for the consumption of the present Colony when do you suppose it will be?—A small quantity now grows in the Colony. If there were a sufficient number of labourers and machinery for the flour, in the course of one year there would be wheat sufficient for the consumption of the present Colony.

Are there any tradesmen, such as carpenters, tailors, blacksmiths, masons, shoemakers, &c. settled there?—With the exception of tailors, there are a few of each of the others.

What number of cattle and sheep do you suppose are now at King George's Sound?—Horned cattle about 40, sheep say 500, horses 10, besides pigs and goats.



Can the labour of handicraft men be obtained for money, though the wages will certainly be high?—Yes—and carpenters will generally contract with you. A vessel of 60 tons is now being built at the Sound.

When do you suppose the Colony may be so advanced that a settler with ample means will be able to command comforts?—I should think in about two years.

Are there any thing like shops where the comforts of life can be purchased?—There are warehouses which retail those things which are most commonly wanted.

What is the size of the best house built at King George's Sound when you left it?—About 36 feet square, besides the verandah.

Are bricks easily made there?—Yes?

What are the European fruits that have actually thriven there, and do they promise to be abundant?—Apples, pears, peaches, gooseberries, &c., are all thriving well, although too young, as yet, to bear fruit. Strawberries and raspberries overrun the fields, and vines are doing very well.

Will there be any difficulty in the communication with Swan River, when the road is open the whole way?—I should think not, as there are military stations every 60 or 70 miles the whole way across.

Is there any good land for pasturage near King George's Sound?—In patches, but not of any extent, until about 40 or 50 miles inland.

Can fresh meat be obtained at all times for purchase, provided you are willing to give the money that is asked for it?—Kangaroo meat may be had, but not any other, in consequence of the heavy rise of live stock, of all kinds, in Sydney.

What number of ships visited the Sound during the period you remained there, and what was chiefly their calling?—At an average, two ships a month; and generally for the purpose of trading.

Did they bring supplies for the colony?—Generally so.

Are the natives in the vicinity of the Sound quiet and inoffensive?—Very much so.

How do poultry thrive there?—Very well.

Are fish plentiful, and what means have you of catching them?—They are plentiful, and are, for the most part, caught by nets.

What are the wages, per day, of a carpenter, a bricklayer, and a blacksmith?—5s. to 7s.; they finding their provisions.



If a settler were to go there at the present moment what quantity of provisions should he take for himself and his party?—This would much depend on the number of the party and the way and style they would like to live in. In the interior, with a couple of good dogs, they may command as much Kangaroo as they choose.

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FOURTH REPORT OF THE COVENTRY SOCIETY FOR THE ABOLITION  
OF HUMAN SACRIFICES IN INDIA,—MARCH 1833.

The object of this Society is to promote the abolition of every species of human sacrifices in British India, arising from the present partial prevalence of the *Suttee*, *Infanticide*, *Ghaut* or *River Murders*, the mortality of *Pilgrimages* to Hindoo Temples, (rendered increasingly celebrated by British regulation and support) and of all “ceremonies where blood becomes necessary to the propitiation of them that are no gods.” The apathy of Britain to the destruction of human life in her Eastern territories is appalling; but, the cry of mercy on behalf of the devotees of Hindoo superstition, who are “daily drawn unto death and ready to be slain,” has “reached the British isles and reverberated from her shores; it has sounded, in the ears of her Legislature; it is heard in the midst of our Cities; it is a loud and bitter cry.”

To awaken public attention in Britain and India to the atrocities of Hindooism, pamphlets have been published relative to the *Suttee*, *Pilgrim Tax*, *Infanticide*, &c., to the number of 15,800 copies; of which about 3,000 only remain on hand. In Feb. 1830, the Secretary published an edition of “*India’s Cries to British Humanity*,” consisting of 1,000 copies, the receipts for which have been 419*l.*, and the profits, amounting to 162*l.*, have been devoted to a benevolent object in this City. In Dec. 1832, a *third edition* of the work, with a book on Colonization in India, was published, which chiefly originated in the public spirit of some gentlemen in the Staffordshire potteries, one engaging to procure the author 40 subscribers, a second subscribing for 20, a third for 50, and a fourth for 150 copies. Of these volumes, 239 copies have been presented to public characters in Europe, Asia, and America. In the last year, the Society has circulated 367 volumes (including 38 copies presented to influential persons,) and 184 pamphlets, making a total from the formation of the Society, in Nov. 1828, of 1,441 volumes and 6,019 pamphlets. The receipts of the year have



been 22*l.* 9*s.* 6*d.*, leaving a balance due to the Treasurer of 2*l.* 6*s.* 3*d.*, which, with the expenditure of the year, amounting to 27*l.* 11*s.* 3*d.*, makes the Society's debt 29*l.* 17*s.* 6*d.* During the year, communications connected with the objects of the Society, have been received from the London and Wesleyan Missionaries at Madras, the London and Madras Asiatic Societies, Sir A. Johnston, the Right Hon. C. Grant, &c. In August, 1832, counsel was heard for three days relative to a petition to his Majesty from some Hindoos in Calcutta, for the re-establishment of the *Suttee*, which petition was finally *ordered to be dismissed!* Letters containing extracts from *Menu*, respecting the *Suttee*, not being an integral part of Hindooism, were addressed to several influential characters; of which effort, one of the highly respected Members for this City, E. Ellice, Esq., wrote to the Secretary,—“ I have received and communicated to the proper quarter, your information and observations on the subject of the *Suttee*, in which I entirely agree with you.” In a former communication, this gentleman stated,—“ I thank you for your letter, with the printed circulars of your own and the Derby Societies' proceedings on the interesting question connected with religion in India. I sympathize entirely in the feelings of the Societies, and will attend to the subject in any discussions that may occur in Parliament relating to it.”

It may be interesting to notice the present state of the principal evils in India, the removal of which is contemplated by these philanthropic efforts. The *Suttee* was abolished in the Bengal Presidency in Dec., 1829, and in the Madras and Bombay Presidencies in the year 1830. In Nepaul, an Independent State, the *Suttee* appears still to prevail; as a Calcutta paper, in May 1832, mentions the death of the Ranee, and that a slave girl was burnt with her body. It was customary, formerly, in Upper Hindostan, for slaves, both men and women, to be burnt with the dead bodies of their royal masters and mistresses, from the idea that they would need the attendance of slaves in heaven! “ In Bali or little Java,” says Crawford, in his *History of the Indian Archipelago*, “ this practice is carried to an extent unknown even in India. The Rajah of Bielliry stated that when the body of his father was burnt, 74 women sacrificed themselves with it. In 1813, 20 women sacrificed themselves on the funeral pile of Wayaham Balenteg.” It is hoped that the influence of the Dutch Government, in Java, may be exerted to promote the abolition of this murderous practice;



for which purpose a correspondence has been commenced. It is probable that the *Suttee* still prevails in some of the tributary, allied, and independent States of Hindostan,—(For an account of the present prevalence of the *Suttee*, see "*India's Cries*," third edition, published by Simpkin and Marshall, London, pp. 266—273.—Female Infanticide in Western India is still awfully prevalent. In "*Elwood's Overland Journey to India*," it is stated:—"As late as 1818, it was calculated that there were not less than 1,000 infants destroyed; and in a population of 12,000 males, there were not more than *thirty female children*! The barbarous custom, it is feared, continues in full force, as was evident from a census of Jahrejah Villages, seen in 1826; though some think it on the decrease."—(*Asiatic Journal*, Nov. 1830.) British connection with Hindoo idolatry appears of indefinite extent. In a letter from Madras, dated May, 1832, it is stated,—“We may further instance the great Pagoda of Conjeveram, Chillambaram, Madura, Ramiseram, and Purney, from which large revenues arise: We are all persuaded that, were this custom at an end, incalculable benefit would follow. We anticipate that something may be done at the renewal of the Charter.” Little attention has yet been excited to the *Ghaut murders*, the destructive and demoralizing influence of East Indian Slavery, and of the various practices involving the destruction of life, so prevalent in British India. The Society's labours are not yet terminated; may they remember the Hindoo maxim;—"It is the duty of a King to pursue every object till it be accomplished."

The present period is eventful for India, and the whole of the Eastern world. The East India Charter expires in April, 1834, and many important changes relative to India and China are contemplated. It becomes the friends of India to be upon the alert in promoting its civilization and evangelization; surely a brighter day has dawned on the East. "Let us, then, ere it be too late, put in practice such sound and efficacious measures, that after our might shall have ceased to manifest itself among them, the spell of its genius shall remain and be productive of those new and probably more natural ties that may bear about them the virtue of durability. We are on the advent of a new era;—the approach of a new epoch to our own land, as to the world; let us trust that it may be ushered in by an act which may serve to elevate the character of the age, and which, by setting an example to mankind of the grandeur to which a nation may ascend, establish the power of Great Britain on a foundation not easily to be shaken."



The following Petition, relative to the object of the Society's labours, is to be presented to both Houses of Parliament in the present Session, and may form a specimen for adoption by the friends of India, in various parts of the United Kingdom :—

*“ To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.*

*“ The humble Petition of the Inhabitants of the City of Coventry,—Sheweth,—that while your petitioners learn with the greatest satisfaction, that effective measures have been taken to abolish the unnatural practice of burning and burying alive Hindoo widows, in British India, they regret the continuance of Female Infanticide in Western Hindostan, and in some parts of the Bengal Presidency ; the exposure of the aged and sick on the banks of the Ganges : that Pilgrimages to certain temples in India are made sources of revenue to the Hon. East India Company's Government ; and that by laws and usages now existing in India, converts to Christianity lose the right of inheriting hereditary property.*

*“ That it further appears to your petitioners, that as the Sutte has been abolished, as an infraction of the inviolable principles of justice and humanity, in unison with the sentiments of the great majority of the most intelligent of the Hindoos, both ancient and modern, the other evils in India here adverted to, are also conceived to be contrary to those principles ; and that the extent to which they prevail, imperiously calls for the attention of a humane and Christian Government.*

*“ That according to the statements of the philanthropic Col. Walker, contained in the Parliamentary Papers on Infanticide, 3,000 female infants annually perish, the victims of this unnatural practice ; and recent information shews, from “ the disproportionate number of females still existing, it is evident that, although this practice may be somewhat subdued, it is still far from being relinquished.”*

*“ That hundreds of infirm and sick persons are every year exposed upon the banks of the Ganges, and no inquisition is made for their blood.*

*“ That at the temple of Juggernaut, and at Gya, Allahabad, and Tripetty, near Madras, the British authorities receive considerable sums of money, the gain of connection with idolatry ; that at Juggernaut a premium is actually received by the pundabs, who collect the pilgrims, by which the celebrity and sanguinary character of idolatry are greatly increased ; and that*



by the state of Hindoo law, affecting the hereditary property of converts to christianity, the civilization and evangelization of British India are greatly retarded.

“ That your petitioners, deeply impressed with the state of their fellow-subjects in British India and China, earnestly implore your Honourable House to adopt such measures as may speedily abolish the murder of infants ; the exposure of the sick and infirm under the semblance of religion ; the pernicious connection of Britain with idolatry ; and the revision of those laws which prevent Hindoo-Christians from fully enjoying their civil and religious rights ; and thus remove the stigma which attaches to our national character by tacitly sanctioning and perpetuating these evils ; and whatever regulations it may be expedient to adopt at the present period, for the future intercourse of British subjects with China, no steps may be taken which shall in any way prevent Christians of every denomination from directing their benevolent attention to the introduction of Christianity into that idolatrous empire. ”

“ And your petitioners shall ever pray.”

### THE ISLAND OF JAMAICA.

Jamaica, a magnificent Island, 169 miles long, by 45 broad, contains 4,000,000 acres, and is situate 4,000 miles S. W. of England, was discovered by Columbus, 1494. Jamaica was when first visited by the Spaniards who settled there, densely peopled with Indians. The population, however, at the time of the British conquest, (1665) was not more than 3,000 Europeans and Natives together—3,000 inhabitants were destroyed by an earthquake in 1692. In 1727 the Magna Charta passed by which the statutes of England are declared “ to be laws in Jamaica for ever.” In 1802 Kingstown was constituted a corporation, and a mayor, alderman, &c. appointed. The maritime commerce of Jamaica is valued at 6,000,000*l*. This beautiful isle, screened by Cuba and Hispaniola from the tempestuous winds of the Atlantic, and peculiarly adapted for an extensive and profitable commerce with the adjacent continent by reason of its excellent havens, is really one of our most valuable colonies. The island is of an oval shape, with an elevated ridge called the Blue Mountains (in some places 8,000 feet above the level of the sea) running longitudinally and approaching the sea in the South coast in gigantic spines of sharp ascent, difficult of access, and clothed with dense and sombre forests on the north, declining into lovely mounds covered with groves of pimento



and all the exquisite verdure of the tropics. The middle part called Pedro's cockpit, is spread for an extent of many miles with an infinite number of round-topped hills clothed with fine cedar and other trees of enormous bulk. The dales contain a rich soil, where the succulent Guinea-grass forms a perfect carpet of ever verdant beauty. The harbour of Kingston is situated on a gentle slope of about one mile in length, bounded on the south by a spacious bason through which all vessels must advance beneath the batteries of Port Royal. On the verge of an extensive inclined plain stands Kingston, enclosed on the north by the loftiest ridge of the Blue Mountain, which forming a semicircle terminates in the east at the narrow depth of Rock Fort, from thence a long neck of land stretches far away to Port Royal, forming the south barrier of a beautiful haven; in the west the semicircle terminates at a contracted pass upon the edge of an impracticable lagoon, from thence the main land sweeping round to Port Henderson, &c., secure an harbour in which the navies of Europe might safely ride. The entrance is defended by the ramparts of Fort Charles, the cannon of Rock Fort, and the low raking shot from the level lines of Fort Augusta.

The streets in lower Kingston are long and straight; the houses two stories high, with verandahs above and below. The English and Scotch churches, and the barracks, are elegant and attractive objects. The present population of Jamaica is estimated at,—whites 35,000; coloured, 450,000.

Upwards of 200 rivers intersect the Island; and most of them although not navigable for vessels of any burden, owing to the hill and dale nature of the country, might be made so by means of locks, &c. Springs are extremely numerous. There are sixteen secure havens, besides thirty bays, affording good anchorage. The island is divided into three counties; Middlesex, Surrey, and Cornwall; and subdivided into parishes. The roads are narrow but good. The barracks consist of two long parallel lines of buildings, extending east and west, two stories high; an excellent hospital and a bath (the finest known.) The whole cantonment is surrounded at 60 feet distance by a wall six feet high. 1284 European soldiers are encamped with comfort, and the attached offices are spacious, lofty, and commodious. Stoney Hill Garrison, nine miles north of Kingston, is capable of holding 500 men. There are other military strongholds well adapted for their purposes.

Spanish Town, the capital of Jamaica, is distant from the



sea, at Port Royal Harbour, six miles. The city has an imposing appearance. The King's House is one of the most splendid buildings in any of our colonies. An immense pile of buildings is connected with it, containing, under one roof, the House of Assembly, the Supreme Court, and the Government offices of the Island.

Jamaica possesses many natural curiosities, which excite wonder and pleasure.

The lead ore of the Isle is extremely rich, and heavily impregnated with silver.

The heat of Jamaica is by no means so fearful as has been stated. The medium, at Kingston throughout the year, being 80 F., and the minimum 70. As the country is ascended, the temperature, of course, decreases. From July to October, is the hurricane season. The climate, it is fully believed, has of late years considerably improved. The total number of deaths, during each of the six years ending in 1822, was 315, 332, 754, 800, 312, and 287.

Jamaica is exuberant in vegetation. Its principal product is the sugar cane. The increase in the growth of this staple article has been as follows:—1722, 11,000 hogsheads exported; gradually increasing, up to 1832, when the exports were 1,200,000 cwts. The importation of sugar into Great Britain now average at 1,400,000 cwts. The quantity of rum made from it averages annually at exportations to England 3,500,000 gallons. Coffee 20,000,000 lbs. yearly. Aloes, cochineal, spikenard, canella, liquorice root, castor oil nut, vanilla, peppers, arrow root, ginger, ipecacuanha, scammony, jalap, cassia, euphorbia, senna, &c., attest the fruitfulness of the soil. Trees of valuable and various kinds thickly stud the Island, exhaling the sweetest aromatic odours.—In Jamaica all the domesticated animals of Europe thrive. There are many varieties of lizards. Among the feathered tribe we may mention the humming bird, whose plumage is of beautiful golden green. A good supply of fish is common to the Kingston market. Of reptiles the silver, black, and yellow snakes are the most conspicuous. The bite of the small black spider is said to produce death sometimes.

The system of Judicature in Jamaica is upon as firm and as superior a footing as in England: its acts of course being subject to the latter power. The local press is respectable, numbering the following newspapers, the *Kingston Chronicle*, *Jamaica Courant*, *The Isonomist*, *The Despatch*, *The Watchman*, &c. &c.



**GENERAL ORDERS.**

Port William, Legislative Department, 19th Sept. 1836.—The following draft of a proposed act was read in Council for the first time on the 19th Sept. 1836.—(Act No. — of 1836.—1. It is hereby enacted, that from the — day of —, it shall be lawful for the Governor, or Governor in Council of any Presidency, to declare any port within the territories of such Presidency a warehousing port.—2. And it is hereby enacted, that it shall be lawful for any person who imports goods into any such warehousing port, to lodge such goods in any public warehouse or in any private warehouse licensed in the manner hereinafter described.—3. And it is hereby enacted, that applications shall be made for the admission of such goods into such warehouses, as aforesaid, in the form (A.) attached to this act, and the said form shall be signed by the importer, owner, or consignee: and no goods shall be lodged in any such warehouse until they shall have been assessed for customs duty, according to the rules in force at the place of importation, and the keeper of every such warehouse shall be answerable for the weight or gauge reported by the Custom House officers who shall have assessed the said goods, deducting the authorised tares.—4. And it is hereby enacted, that when goods shall be passed by tale or by package, every omission or mis-description, tending to injure the revenue, shall be an offence punishable with fine not exceeding ten times the greatest amount of duty which could have been lost to the Government in consequence of such omission or mis-description; and if goods shall have been over stated in quantity or value the error may be rectified prior to the lodging of the said goods in such warehouse as aforesaid, but not after the said goods have been so lodged.—5. And it is hereby enacted, that no packages of goods shall be admitted into any public or licensed warehouse unless numbered and marked in plain and legible characters, with the initials of the owner, importer, or consignee, and with a description of goods contained therein.—6. And it is hereby enacted, that upon goods warehoused under the provisions of this act, when the import duty chargeable shall exceed the sum of 100 rupees, the importer or consignee shall be allowed to execute a bond for the amount of duty chargeable in the form hereunto annexed marked (B;) and when such bond shall have been executed the goods shall

be allowed to remain in warehouse for a period not exceeding fifteen months, without being liable to the demand of import duty thereon. And the bond to be taken under this section shall be for twice the amount of import duty leviable on the goods, and shall stipulate for interest to be payable from the date of the demand of the duty at such rate, not exceeding six per cent., as shall be fixed by the Board or other controlling authority of Customs: and the party executing the same shall be bound thereby, for the payment of all duties and charges that shall be claimable on account of the goods and of any penalties that may be incurred for violation of the custom laws in respect to the same.—7. Provided always that if any owner, importer, or consignee, shall omit to pay any duty or penalty that may fall due, on account of goods warehoused under this act, it shall be lawful for the Collector of Customs, at his option, either to proceed upon the bond, or to cause such portion of the goods warehoused on account of which the duty or penalty may be demanded as to him may seem fit to be detained in satisfaction thereof, and, if the demand be not discharged within ten days from the date of such detention, (due notice, thereof, being given to the importer, owner, or consignee) the goods so detained shall be liable to be sold in satisfaction of the demand. And the proceeds of any sale, so made, of goods detained, shall be written off upon the bond in discharge thereof to the amount received less the charges of the sale; and if there be any surplus obtained from such sale beyond the amount demanded, such surplus shall be paid over to the owner or consignee of the goods, and no transfer or assignment of the goods shall prevent the Collector from proceeding against the goods in the manner above provided for, any demand of customs duties or penalty claimed thereon.—8. And it is hereby provided, that if, at the end of fifteen months, the owner or consignee of goods shall desire to keep them in warehouse for a further period, the Board or other controlling authority of Customs shall be competent to permit him so to keep them for a like further period, not exceeding fifteen months, on the bonds being renewed by the parties applying for the same.—9. And it is hereby enacted, that when a vessel after having cleared from the port shall return, and the owners, agents, or shippers of the cargo of such vessel, or any part thereof, shall desire to land the same for re-export, such goods shall be



admitted to warehouse, and being so registered, re-export may be made thereof under the previous settlement for duty, unless the bottom in which the re-export is made be one on account of which the goods are chargeable with increased duty, and no bond shall be taken on account of duties for such re-landed goods, unless the goods should be liable to duty, on being passed through the Custom House for importation.—10. And it is hereby enacted, that upon the re-exportation by sea of goods imported and warehoused under bond for the duty as provided in this act within the period during which such goods are, by this act, permitted to continue in warehouse, and upon payment of all reserved duty which may be due on account of such goods, and of any charges or penalties that may have been incurred on account of the goods, the bond, executed at the time of lodging the goods in warehouse, shall be deemed to have been discharged and be cancelled accordingly.—11. And it is hereby enacted, that, if any goods, lodged in warehouse in the manner aforesaid, shall be removed or taken from the warehouse otherwise than for exportation by sea, or if the goods be not cleared from the warehouse and exported at the expiration of the time during which such goods are permitted by this act to remain in warehouse, the Collector of Customs shall demand the full amount of import duty chargeable thereon, and any charges or penalties that may have been incurred. And, if the amount so claimed, be not paid within ten days from the date of the demand, the Collector of Customs shall be entitled to realize the same by causing the goods, or any sufficient portion thereof, to be sold in satisfaction of the demand.—12. And it is hereby enacted, that whenever any goods warehoused and bonded, as aforesaid, shall be removed from any licensed warehouse the Collector of Customs shall cause such removal to be noted on the back of the bond, and every note so made shall specify the quantity and description of goods removed, the purposes for which they have been removed, the date of removal, and name of the person removing them, and the number and date of the export pass under which they have been taken away, if removed for exportation by sea; and of the import pass or order, if removed for importation, and the amount of duty paid.—13. And it is hereby enacted, that a register shall be kept of all bonds entered into for Customs duties on goods warehoused as

aforesaid, and entry shall be made in the said register of all particulars prescribed in the preceding section of this act, as to be noted on the bond, and when the register shall show that the entire quantity of the goods covered by any bond has been withdrawn from warehouse, either through importation and the payment of duties, or through re-exportation by sea, and payment of the reserve duties upon such re-export, it shall then be competent to, and be the duty of the Collector of Customs, to cancel the bond as discharged in full, and to deliver it so cancelled to the parties who shall have executed or who shall be authorised to receive the same.—14. And it is hereby enacted, that the warehouses of the Custom House, together with such other buildings as shall be directed by the Governor in Council or Governor of the Presidency, or Settlement, shall be public warehouses for the reception of goods under the provisions of this act. And every public warehouse shall be under the lock and key of the person whom the Governor or Governor in Council of the Presidency shall appoint to be keeper of such warehouse; and such keeper shall be responsible for all duties connected with the charge of goods, their reception into and delivering from the warehouses.—15. And it is hereby enacted, that the Board or other controlling authority of Customs, shall determine what goods shall be admitted into every public warehouse, in what manner, and on what terms; and shall, from time to time, fix rates of hire for every public warehouse, or for the custody of goods therein, and a table of the rates, so fixed, shall be placed in a conspicuous part of every such warehouse.—16. And it is hereby enacted, that the owners or consignees of goods lodged in a public or licensed warehouse under this act, or their agents, shall have access to their goods at any time within the hours of business, in the presence of a Custom House officer, who shall be deputed to accompany them, upon their making application in writing to the Collector of Customs, or to the warehouse-keeper, for the purpose.—17. And it is hereby enacted that the expenses of carriage, packing, and stowage of goods, on their reception into or removal from a warehouse, shall, if paid by the Collector or warehouse-keeper, be chargeable on the goods, and be defrayed by the owners or consignees, in like manner as the Customs duties, before the goods are removed. And, if the goods be lodged in a public warehouse, the owners or con-



signees shall further pay monthly the rent and warehouse dues, on receiving a bill, or written demand from the Collector or warehouse-keeper, for the same. And if the Bill for rent or warehouse dues be not discharged within ten days from the date of presentation, the Collector of Customs shall have power (any private transfer or assignment of the goods notwithstanding) to cause to be sold by public auction such sufficient portion of the goods as he may select in liquidation of his demand. And the owners and consignees of goods shall not be entitled to claim from the Collector of Customs or warehouse-keeper any compensation for any loss that may occur while the goods are passed into or out of the warehouse, or while they remain therein, unless such loss or injury shall be proved to have been occasioned by the wilful act or neglect of the warehouse-keeper, or his officers, or of the officers of Customs.—18. And it is hereby enacted that allowance shall be made for the wastage of goods deposited in warehouses according to the following Table, at the rate of wastage for one year, and the import duty shall be settled on the quantities registered at the time of importation, wastage at these rates notwithstanding:—Table of Wastage to be allowed upon Goods when applied to be removed either from Public or Private Licensed Warehouses.

Description of Goods.	Rate of Wastage.
Alkali . . . . .	5 per ct.
Alums . . . . .	3 "
Aromatic Seeds.	Anise 3 "
	Coriander 3 "
	Cummin 3 "
	Calizerah 3 "
	Cardamums 3 "
Jowain . . . . .	3 "
Beetlenut. . . . .	7½ "
Brimstone . . . . .	3 "
Camphor . . . . .	2 "
Coffee . . . . .	5 "
Copperas or Green Vitriol . . . . .	5 "
Cotton Wool . . . . .	2 "
Dry Ginger . . . . .	10 "
Gums and Drugs, not otherwise specified . . . . .	3 "
Iron Wrought Bars . . . . .	3 "
Indigo . . . . .	5 "
Kutch or Terra Japonica . . . . .	3 "
Lac, Lake Stick, and Seed . . . . .	3 "
Long Pepper and Long Pepper Root . . . . .	3 "
Oils, Essential and Fragrant . . . . .	8 "
Re-in or Dammer . . . . .	7½ "
Sago . . . . .	4 "
Sugar	

Salt Petre . . . . .	4
Soap	
Silk	
Cloves . . . . .	5 "
Cinnamon . . . . .	8 "
Cassia . . . . .	2 "
Mace . . . . .	2 "
Pepper . . . . .	3 "
Pimento or Allspice . . . . .	6 "
Tobacco, unprepared . . . . .	2 "
Turpentine . . . . .	5 "
Tutenugu . . . . .	8 "
Wines and Spirits in Casks—a deduction for ullage of 10 per ct., shall be allowed at the time of being received into warehouses.—19. And it is hereby enacted, that the Board or other controlling authority of Custom shall have power to license warehouses belonging to private persons, for the reception of goods, with duty bonded under the rules of this act in like manner as prescribed for public warehouses; and every license so granted to a private warehouse shall be liable to be revoked at pleasure by the Board or other controlling authority of Customs, unless otherwise specifically stipulated in the license.—20. And it is hereby enacted, that applications for licenses for private warehouses shall be drawn up in the form marked (C.) annexed to this act, and shall specify the particulars therein stated and the situation of the warehouses, and their distances, respectively, from the Custom House, in English yards.—21. And it is hereby enacted, that the Collector of Customs, or other warehouse-keeper, shall have access for himself, or for any officer he may depute for the purpose, to any private warehouse licensed as above. And if the proprietor thereof shall not open the same when required, or shall refuse to admit the Collector or warehouse-keeper, or the officer of either, upon demand made at any time within the hours of business at the port, the proprietor of the warehouse shall be liable to a penalty not exceeding 1,000 rupees, to be adjudged by the Board or other controlling officer of Customs, and all bonds executed for duty chargeable upon goods therein deposited, shall become due and be put in suit for the levy of the duty and other demands of customs, after seven days shall have passed from the date when the Collector of Customs or warehouse-keeper shall give notice of any license being withdrawn, or of the above penalty having been incurred.—22. And it is hereby enacted, that if goods, lodged in a private warehouse, shall be found to be deficient at the time of delivery therefrom beyond the allow-	



ance for wastage prescribed in the table annexed to Section 18 of this act. the owner, or consignee, or other party who may have lodged the goods in the warehouse, shall, unless the deficiency be accounted for to the satisfaction of the Collector of Customs, forfeit to Government a sum equal to ten times the duty chargeable on the quantity of goods deficient, and if goods be found to exceed the registered quantity, such excess, unless similarly accounted for, shall be charged with ten times the ordinary duty thereon; and when any penalty shall be incurred under this section, the goods shall not be removed until the same is paid.—23. And it is hereby enacted, that the Collector of Customs shall have authority at any time to issue his warrant or written order, and to cause any goods or packages, lodged in a public or private warehouse, to be opened and weighed, or otherwise examined as he may direct. And after goods shall have been so opened or examined, he shall cause the same to be sealed or marked in such manner as to him may seem fit, and when goods shall have been so sealed or marked (after examination) they shall not be again opened without permission from the Board, or other controlling authority of Customs, except when the proprietor or consignee shall apply to have them opened, and in every such case, the packages shall be again sealed or marked as before.—24. And it is hereby enacted that when goods shall be received into warehouse, or shall be removed therefrom, the packages shall be stamped with a conspicuous seal or stamp, containing the words,—“Warehoused and Duty Bonded,” or “Delivered for Exportation,” or “Removed for Importation,”—according as the goods may be received or removed for one or other purpose, and any person who shall remove or efface a stamp or seal, affixed by an officer of customs, or who shall change the outer cover of any package so marked or change the contents thereof while goods are in warehouse, without giving notice and obtaining permission of the Collector of Customs, shall, for every such offence, forfeit the sum of 500 rupees upon conviction before a Magistrate or Justice of the Peace of the place. Provided, however, that the owners and consignees of goods shall be at liberty to take out samples of their goods of such limited quantity as shall be deemed by the Collector of Customs reasonable and proper.—25. And it is hereby enacted, that no goods shall be removed from any

warehouse except under application to the Collector of Customs, for the goods to be passed for export or for importation in like manner as for other goods passed through the Custom House.—26. And it is hereby enacted, that if any owner or consignee of goods shall in any way break a package for removal of any part of the goods, the entire duty shall be levied for all the goods.—27. And it is hereby enacted, that applications to remove goods from warehouse shall be made in the form marked (D) hereunto annexed and 24 hours notice shall ordinarily be given to the Collector of Customs or warehouse-keeper of the intention.—28. And it is hereby enacted, that owners or consignees of goods warehoused and bonded for duty under this act may remove the same from one public or licensed warehouse to any other, and when they shall desire so to remove goods, they shall make application in the form marked (E.) hereunto annexed, furnishing the information specified, and filling up the columns left blank in the said form, with all the particulars therein contained.—29. And it is hereby enacted, that if goods warehoused and bonded for duty shall be destroyed by fire or other accident no duty shall be chargeable thereon, provided that if they be destroyed in a private warehouse, notice thereof be given to the Collector of Customs or warehouse-keeper, within 48 hours of the discovery of the accident. And if goods when lodged in the warehouse shall receive damage, they shall be assessed for duty according to their actual value, and shall be removed from warehouse on payment thereof.—30. And it is hereby enacted, that whenever any person shall be charged with having committed any act or neglect for which he is liable to penalty under this act, the Collector of Customs at the port shall be competent to investigate the case, and to adjudge the penalty or to dismiss the complaint as to him may seem fit. Provided, however, that if the Collector shall adjudge any penalty to be incurred such judgment shall not be conclusive until the case shall have been reported to the Board or other superior authority of Customs, and the award shall have been confirmed by that authority.

(A.)—*Form of Application for the Reception of Goods Imported by Sea in Warehouses.*—To the Collector of Sea Customs at Calcutta: Sir,—Please to order the reception into the (Government or private) warehouse of Mr. A. B. situate at ———, and licensed by No. ———, dated ———, of the undermentioned



goods, being of the growth or manufacture of (place to be stated) and arrived from (port or place to be mentioned) on the (British or other) ship ———, whereof ——— is Commander, the duty upon which goods has been adjusted in the manner hereafter specified.

Marks and number of Packages.	Description of packages and goods.	Contents of Goods.	Rate of value of the goods.	Amount value of the goods as ascertained and entered on the landing of the same.	Rate of duty both of Customs and Town duty.	Date and number of importation.	Specification of the particulars of Bonds if the duty upon the goods has been bonded.
Total							

Date (Signed) By the owner, agent, or consignee of the goods.

(B.)—*Form of Bond for Import Duty.*—Know all men by these presents that we ——— now of Calcutta, at Fort William, in the province of Bengal, in the East Indies, ——— and ——— of the same place, ——— are jointly and severally held, and firmly bound unto the East India Company in the sum of ——— Rs. ——— to be paid to the said East India Company, or their certain attorney, agent, successors or assigns, for which payment well and truly to be made, we jointly and severally bind ourselves and each of us, and our respective heirs, executors, administrators and representatives, by these presents; sealed with our respective seals, dated the ——— day of ——— in the ——— year of Christ ——— and the said ——— for themselves, and each of them and their respective heirs and representatives, covenant and agree that in case of dispute touching the matter of this obligation, on the condition thereof, the same may be heard and determined in the Supreme Court of Judicature at ———. Whereas the above bounden ——— hath, or have, applied to the Collector of Sea Customs of the said East India Company at ——— for, and have obtained permission to lodge in a certain public (or licensed) godown for a period of 15 months, subject to the rules or regulations of Government, the following goods, that is to say, (here a large blank) should be left for describing the goods) being of the growth or manufacture of ——— and imported by sea, from

——— on board the ——— ship ——— and entered in the Custom House books, as No. ——— of the Register of goods imported by sea.—Now the condition of this obligation is such, that if the above bounden ——— (the principal) ——— his or their heirs, executors, administrators, representatives, or assigns, shall, in all things, well and truly observe and keep all and singular the rules prescribed in Act No: ——— of ———, to be observed and kept by the owners, importers and consignees of goods bonded and warehoused and by the persons obtaining permission to bond and warehouse goods under the provisions thereof. And if the said ——— (the principal) ——— his (or their if more than one) heirs, executors, administrators, representatives, or assigns do and shall well and truly pay or cause to be paid to the said East India Company, their successors, or assigns, as to their officers or servants authorised to receive the same, all such dues, whether of customs or of lawful charges as shall be due, or demandable upon the said goods or on account of penalties incurred in respect to them at or before the expiration of fifteen months from the date of these presents or before or at the expiration of such further time as the Board of Customs shall allow in that behalf. And further, if the said goods after being so warehoused, or any part thereof, shall not within the term so fixed or to be enlarged, be removed from the said public or licensed godowns, except for exportation by sea, or in case the said goods or any part thereof shall be removed from the said public, or licensed, warehouse, except for exportation, then, and in such case, if the full amount of all such duties, charges and penalties payable or demandable as aforesaid, shall have been first paid and satisfied on the whole quantity of the said goods; or in case, the said goods shall within the respective periods fixed or enlarged as aforesaid, or either of them, be removed from the said public, or licensed, warehouse, and cleared for exportation by sea; and all such duties, charges, and penalties due or demandable thereon, shall have been first paid and adjusted—then this obligation to be void and of no effect; otherwise, and on breach or failure in the performance of the said several conditions, or any of them, the same to be in full force and virtue. Sealed and delivered, &c.

(C.)—*Form of Application to obtain License for Private Warehouses.*—To the Collector of Customs at Calcutta: Sir,—Please to submit to the Board of Customs (or other controlling authority of Customs) my request to be furnished



with a license under Act No. — of 1836, for a godown situate at — and about the distance of — yards from the Custom House, being numbered in the Assessment Department as (enter number here) the dimensions and other particulars of the godown are stated below, and the same is intended for the reception of all goods as a general store-house (or as the case may be) the period of license not to exceed (mention the time for which period.)

*Particulars of Godown*—Length, feet; inches; breadth, ditto, ditto; height, ditto, ditto.—Dry, airy, well flued and puccah built, can contain with perfect safety and convenience about — tons of goods.—The same being my own property (or the property of — from whom I have engaged the same on a lease of —.)

(Signed by the Applicant.)

(D.)—*Form of Application for Removal of Goods from Warehouses.*—

To the Collector of Government Customs: Sir,—Please to order to be passed from the (Government or private) warehouse of Messrs. C. and Co, situate at — (and licensed under Act No. — of 1836 — by No. — dated —) the undermentioned goods intended for exportation by sea on the British ship —, Captain —, bound to — or for internal consumption; or to be consigned to (any station in the interior as the case may be) the same having been entered in the books of your office for the said warehouse, under No. — dated by (me or by Messrs. B. and Co, whose certificate of the transfer of the goods is herewith annexed.)

Marks & Nos. of Cases (Name of the goods)	Four cases of (name of goods)
	1 case, box, bale, or parcel.
B. & Co.	containing (here insert the quan- tity in each
No. 1 to 4.	case) . . .
= 4 y	1 ditto . .
Sealed.	1 ditto . .
"Warehouse for Exportation."	1 ditto . .
	Four (cases boxes, bales, or parcels) con- taining (total contents to be here stated) .

Custom House value of the above, — Rupees — and please to receive the amount of duty bonded for the said goods by bond No. —, dated —, allowing drawback for exportation on British

bottom (or as the case may be.) (Signed) (Either by the owner, agent, or consignee of the goods.)

(E.)—*Form of Application for the Removal of Goods, from one Warehouse to another, during the period for which the Indulgence of Warehousing may have been obtained.*—To the Collector of Government Customs at Calcutta: Sir,—Please to permit the removal of the undermentioned goods from the (Government or other licensed) warehouse, to (the warehouse into which the removal is intended to be made, must here be distinctly described) for the unexpired period of warehousing due on the goods, the same having been originally entered by virtue of Act No. — of 183 — in the books of the warehouse department, under No. —, dated —, for 15 months (or such other period as may have been allowed to be here stated) under all the obligations and conditions which at present attached to the goods.

Marks and numbers of Packages	Description of packages and of goods	Contents of packages	Rate of value of goods	Amount of value of goods entered in Custom House books	Rate of duty chargeable or paid upon the goods	Name of the person by whom goods first passed into Warehouses.

*Note.*—If the goods to be removed, shall have been sold or transferred, by the original proprietor or agent, a certificate of such sale or transfer shall accompany the application. (Signed) By the owner, agent, or consignee of the goods.

Ordered, that the draft now read be published for general information. — Ordered, that the said draft be reconsidered at the first meeting of the Legislative Council of India, after the 8th day of October, 1836.

Legislative Department, 19th Sept., 1836.—The following Acts passed by the Governor General of India in Council are hereby promulgated for general information:—Act No. XX. of 1836.—I. It is hereby enacted, that from the 1st day of October, 1836, so much of Clause 3, Section III., Regulation XI. of 1822 of the Bengal Code, as provides "that joint estates shall not be liable to sale for arrears that may accrue during the pro-



gress of a butwarra or partition until the expiration of the year within which the arrear may become due"—be repealed.—II. And it is hereby enacted, that from the said 1st day of October, 1836, no butwarra while in progress, shall be quashed by the Board of Revenue, or by any officer invested with the powers of the said Board, except as hereinafter provided.—III. And it is hereby enacted, that it shall be lawful for the said Board, or for any of the said officers, to give six months' notice in writing of an intention to quash any butwarra; and such notice shall be affixed at the offices of the Collector of the district and Moonsiff of the jurisdiction within which the lands under partition, or part of those lands, may be situated: and if, within six months after such notice, no party to the said butwarra shall deliver to the said collector a written declaration, that he the said party, objects to the quashing of the said butwarra, it shall be lawful for the said Board, or the said officer, to quash the said butwarra.—IV. And it is hereby enacted, that every butwarra which, before the said 1st day of October 1836, may have been quashed by the said Board, or by any of the said officers, shall be taken by all courts to have been lawfully quashed.

Fort William Legislative Department, 19th Sept. 1836.—Act No. XXI of 1836.—It is hereby enacted, that from the 1st day of October, 1836, it shall be lawful for the Governor General in Council, by an Order in Council, to create new Zillahs in any part of the Presidency of Fort William in Bengal, and to alter the limits of existing Zillahs.

12th Sept. 1836.—The following drafts of proposed Acts, were read in Council for the first time, on the 12th Sept. 1836.—Act No. — of 1836.—I. It is hereby enacted, that as often as the Governor-General of India, or the Commander-in-Chief of all the Forces in India, or the Lieutenant Governor of the N. W. P., shall pass through any part of the territories of the East India Company, attended by a camp, it shall be lawful for the Governor General of India in Council, by an Order in Council, to appoint a Superintendent of the Police of such camp.—II. And it is hereby enacted, that, with respect to all offences committed in any such camp, or on the line of march between the stations of any such camp, such Superintendent shall have concurrent criminal jurisdiction with the Magistrate of the Zillah or City, within which such offence shall have been committed.—III. And it is hereby

enacted, that as often as the said Superintendent shall, by virtue of the powers conferred on him by the preceding clause, commit any person for trial before the Sessions Court, or sentence any person to imprisonment, it shall be lawful for the said Superintendent to transmit such person to the Magistrate of the Zillah or City, where the camp shall then be, with a copy of the commitment or sentence under the hand of him, the said Superintendent, and the said magistrate shall give effect to such commitment or sentence.—IV. And it is hereby enacted, that all officers subordinate to the Magistrate of the Zillah or City where such camp shall be, shall be assisting to the said Superintendent in the exercise of the powers conferred on him by this Act, in the same manner as they are bound to be assisting to the said Magistrate.

Act No. — of 1836.—I. It is hereby enacted that Regulation V. of 1817 of the Madras Code, entitled a Regulation for providing a succession of Hindoos and Mahomedans duly qualified to be employed as law officers and as vakils in the Courts of Adawlut under the Presidency of Fort St. George, be repealed.—II. And it is hereby enacted, that candidates for the situation of Vakel in the Courts of Adawlut under the Presidency of Fort St. George shall, in future, be appointed under the provisions of Section III, Regulation XIV. of 1819, and that the qualifications of candidates for the situation of law officers be ascertained by examination before the law officers of the Court of Sudr and Foujdaree Udawlut, with reference to the provisions of Section III, Regulation XI. of 1802, and Clause 2, Section III, Regulation VII. of 1822.

Act No. — of 1836.—I. It is hereby enacted, that from the — day of —, no assessment made by the Justices of the Peace for the Presidency of Fort St. George under the authority of the Act of Parliament of the 33d Geo. III. Cap. 52, shall be levied until the same shall have been approved by the Governor in Council of Fort St. George.—II. And it is hereby enacted, that it shall be lawful for the said Governor in Council of Fort St. George, by an Order in Council, to exempt any district, or portion of a district, from payment of any such assessment.

Fort William Legislative Department, 26th Sept. 1836.—The following Act passed by the Governor General of India in Council, is hereby promulgated for general information:—Act No. XXII. of 1836.—I. It is hereby enacted, that from



the first day of November 1836, Regulation VII. of 1810, of the Bengal code, and also such parts of Regulation XVIII of 1806 of the Bengal code, as relate to the Eastern canal, commonly called "Tolly's Nullah," which connects the River Hooghly with the Sunderbunds, shall be repealed.—II. And it is hereby enacted, that from the said first day of November, 1836, the Governor of Bengal shall be competent to prescribe the amount of toll, and the mode of levying the same, on boats, rafts and floats which shall enter on, or pass out of, or through, either of the two lines of navigation hereinafter described—that is to say.—1st. The Eastern Canal aforesaid from its entry into the Sunderbunds, to its junction with the River Hooghly.—2d. The line made up of the Channel across the Salt-water Lake to Baminghatta, of the Canal leading from the Salt-water Lake to the Boitakhanna Road, and of the new Circular Canal which connects the last mentioned Canal with the River Hooghly.—III. Provided always, that the aggregate amount of toll levied on account of the whole passage along either of the two lines aforesaid, or on account of entering into, or passing out of, either of the two lines aforesaid, shall in no case exceed one rupee and a half for every hundred maunds burden on any boat, or two annas for every timber, on every raft of timber, or four annas for every hundred bamboos, on every float of bamboos.—IV. And it is hereby enacted, that the said Governor shall be competent to fix a rate of rent to be levied on every boat which shall remain in any part of either of the lines aforesaid longer than two days for every hundred maunds of burden, and on every raft of timber which shall so remain longer than one day for every ten timbers, and on every float of bamboos which shall so remain longer than one day, for every 200 bamboos.—V. And it is hereby enacted, that the said Governor shall be competent to appoint officers for the collection of the tolls and rent hereinbefore mentioned, and to confer on such officers, for the purpose of preventing acts whereby either of the said lines of navigation may be obstructed, or whereby the banks along either of the said lines of navigation may be damaged, any or all the powers possessed by Magistrates in respect to navigable streams and rivers.—VI. And it is hereby enacted, that whoever wilfully causes any obstruction of either of the said lines of navigation, or any damage to the banks along either of the said lines of navigation,

shall be punishable, on conviction before the Magistrate, with imprisonment for a term not exceeding 14 days, or fine to an amount not exceeding 50 rupees or both; and in default of payment of such fine, with additional imprisonment for 14 days.—VII. And it is hereby enacted that notifications of the rates of toll and rent, and of the places of collection, and of all rules made by the said Governor under the authority given to him by this Act, shall be published in the *Calcutta Gazette*, and exposed to public view at every toll-house, on either of the said lines in the English, Persian, and Bengallee tongues.—VIII. And it is hereby enacted, that if the toll or rent due in respect of any boat, raft, or float on either of the said lines, shall not be paid on demand to an officer authorized by the said Governor to receive the same, it shall be lawful for such officer to seize such boat, raft, or float, and the cargo thereof, and to detain the same, and if the said toll or rent shall have been paid upon any day before the tenth day after such seizure, then the said boat, raft, or float shall be released, or if not paid within the said ten days, it shall be lawful for such officer with the sanction, and under the directions of the Superintendent of canals, to sell the property seized, or so much thereof as the said Superintendent shall direct, for the purpose of satisfying the toll or rent which may be due, and also of defraying the expenses of seizure and detention, and in every such case, so much of the property seized which has not been sold, and so much of the price of the property sold, as is in excess of the sum necessary for satisfying the toll or rent which is due, and for defraying the expenses of seizure and detention, shall be returned to the owner of the boat, raft, or float.—IX. And it is hereby enacted, that if any person, in charge of any boat, raft, or float, shall attempt to evade payment of the toll or rent due thereon, or shall resist a seizure made by the authority and under the circumstances hereinbefore described, such boat, raft, or float, and the cargo thereof, shall be forfeited to the Government under orders of the Superintendent, subject to appeal to the Commissioner of Revenue and Police.

Fort William, Legislative Department, 19th Sept. 1836.—The following drafts of proposed Acts were read in Council for the first time on the 19th Sept. 1836:—Act No. — of 1836.—I. It is hereby enacted, that from the — day of —, it shall be competent to the Court of



Sudder Adawlut at Fort St. George, with the sanction of the Governor in Council, to augment or diminish at discretion, the number of Sudder Ameen in the Zillah, Auxiliary and Native Courts, and to appoint any person to be a Sudder Ameen in any Zillah, Auxiliary or Native Court within that Presidency.—II. And it is hereby enacted, that such parts of any of the Regulations in force, as authorise the Registers of the Zillah Courts, and Sudder Ameen within the Presidency of Fort St. George, to receive any Fee or Commission for judicial duties performed by them, be repealed. Provided always, that this rule shall not be construed to prohibit the receipt of such Fees as have been, or may be, authorized for the Registry of Deeds.

Act No.—of 1836.—I. It is hereby enacted, that whoever shall be proved to have belonged, either before or after the passing of this Act, to any gang of Thugs, either within or without the Territories of the East India Company, shall be punished with imprisonment for life.—

II. And it is hereby enacted, that every person accused of the offence made punishable by this Act, may be tried by any Court which would have been competent to try him if his offence had been committed within the Zillah where that Court sits, any thing to the contrary in any Regulation contained notwithstanding.—

III. And it is hereby enacted, that no Court shall, on a trial of any person accused of the offence made punishable by this Act, require any Fatawa from any Law Officer. Ordered, that the said Drafts, be reconsidered at the first Meeting of the Legislative Council of India, after the 8th day of November next.

Political Department.—Fort William, 3d Oct., 1836.—The Right Honourable the Governor General of India in Council is pleased to publish the annexed Extract (paragraphs 1 and 2) from a letter from the Right Honourable Henry Ellis, Ambassador to His Britannic Majesty at the Court of Persia, together with the documents therein referred to, for general information.—Extract from a letter from the Right Honourable Henry Ellis, dated Tehran, the 7th May, 1836.—“I have the honor to transmit for the information of the Right Honourable the Governor General of India in Council, an authenticated Copy in Persian, together with a translation, of a Firman respecting the British subjects trading with Persia. By this order, security and protection are promised to British Merchants, and the dues to be levied upon their goods are declared to be the same as those paid by Russian Merchants. I enclose an Extract from

the 3d Article of the Treaty of Commerce between Persia and Russia relating to these dues. Negotiations are in progress for the conclusion of a Commercial Treaty between Great Britain and Persia, but until that take place, the present Firman is of value, as it formally pledges the Persian Government not to demand any public dues over and above the specified rate.”—Whereas the relations of friendship and amity between the powerful and dignified Governments of Persia and England are fixed upon the most perfect and firm basis, and whereas it is agreeable to the exalted character of His Majesty, that this friendship and amity should daily increase, and that mutual advantage should thence result, therefore in the present auspicious year, and henceforth, according to this gracious proclamation, we grant liberty and permission to the Merchants of the British Nation, that having brought their merchandise to the territorial possessions of Persia, they may dispose of the same in perfect security and confidence, and that they shall pay to the Officers of Government, the same public dues upon their goods as are paid by the Merchants of the Russian Government.—In the month of Moharrum in the year of the Hejiri 1252. May A. D. 1836. True Translation, (Signed) H. ELLIS.”

MILITARY APPOINTMENTS, PROMOTIONS, CHANGES, &c., from 26th Sept. to 2nd Oct.—Lieut.-colonel J. Nesbitt to be Colonel, from 30th May 1836, vice J. Delamain *dec.*—Lieut. col. R. C. Andree to be Colonel from 20th June 1836, vice J. Simpson *dec.*—Maj. R. Chalmers to be Lieut.-colonel, vice Nesbitt, promoted with rank from 20th June, 1836, vice Andree promoted—Major S. Watson to be Lieut.-colonel, with rank from 11th July 1836, vice Smith *inval.*—22d regt N. I. Capt. F. C. Robb to be Major—Lieut. R. E. Battley to be Capt., Ensign J. Grant to be Lieut., from 20th June 1836, vice Chalmers promoted—32d regt N. I. Captain G. Coventry to be Major—Lieut. W. Mitchell to be Capt.—Ensign W. W. Davidson to be Lieut., from 19th Sept. 1836, vice Oriel *invalid.*—55th regt N. I. Captain T. Dickenson to be Major—Lieut. A. H. Jellicoe to be Captain—Ensign J. Butler to be Lieut., from 11th July 1836, vice Watson *prom.*—Major J. Orchard to be Lieut. colonel, from 17th Sept., vice Hunter *dec.*—Eur. regt., Captain H. P. Carleton to be Major—Lieut. T. Box to be Captain—Ensign H. T. Combe to be Lieut.—The Meerut Div. Order directing Asst Surg. G. E. Christopher. 2d regt L. C. to pro-



ceed to Moozuffernuggur, and perform the civil medical duties of that station. during the absence on leave of Dr. Buchanan is confirmed as a temp. arrangement.

**REMOVALS AND POSTINGS.**—Ensign H. L. Bird is removed from 6th to 48th regt N. I.—Ensign C. H. D. Spread is posted to the 72d regt N. I.—Ensign J. E. Gastrell to 13th regt N. I.—Ensign C. D'Oily Atkinson to 40th regt N. I.—Ensign P. G. Robertson to 71st regt N. I.—Ensign J. G. Caulfield to 68th regt N. I.—Ensign W. O. Harris to 32d regt N. I.—Ensign W. L. Mackeson to 19th regt N. I.—Ensign F. F. C. Hayes to 62d regt N. I.—Ensign J. Gordon to 59th regt N. I.—Ensign H. C. Roberts to 31st regt N. I.—Ensign J. Metcalfe to 3d regt N. I.—Ensign W. T. Wilson to 52d regt N. I.—Ensign H. Young to 27th regt N. I.—Ensign T. Watson to 33d regt N. I.—Ensign G. W. S. Hicks to 28th regt N. I.—Ensign R. Patton to 17th regt N. I.—Ensign G. N. Oakes to 46th regt N. I.—Ensign G. P. Goad to 66th regt N. I.—Ensign H. B. Hopper to 35th regt N. I.—Ensign T. C. Blgrave to 26th regt N. I.—Ensign J. S. Bristow to 64th regt N. I.—Ensign H. R. Dennys to 20th regt N. I.—Ensign P. H. Bristow to 72d regt N. I.—Ensign G. E. J. Law to 73d regt N. I.—Ensign J. E. Nicolson to 67th regt N. I.—Ensign C. R. Woodhouse to 63d regt N. I.—Ensign C. T. Cartwright to 15th regt N. I.—Ensign F. J. Thompson to 2d regt N. I.—Ensign T. Latter to 48th regt N. I.—Ensign W. K. Fullarton to 69th regt N. I.—Ensign R. Ferrie to 13th regt N. I.—Ensign W. Lowther to 40th regt N. I.—Ensign J. N. Thomas to 49th regt N. I.—Ensign G. Ryley to 74th regt N. I.—Ensign T. H. Drake to 71st regt N. I.—Ensign S. Richards to 60th regt N. I.—Ensign A. W. Beillie to 70th regt N. I.—Ensign C. T. W. Boswell to 29th regt N. I.—Ensign H. N. Raikes to 68th regt N. I.—Ensign J. J. Mackay to 32d regt N. I.

#### GENERAL ORDERS.

**HIS MAJESTY'S REGIMENTS.**—Head Quarters, Calcutta, 10th Sept. 1836.—His Majesty has been pleased to make the following promotions and appointments in the regiments serving in India: 4th L. D. Lieut R. D. Campbell, from the 15th L. D. to be Lieut. vice Vernon, who exchanges 29th April 1836—13th L. D. Captain G. Weston, from the 15th foot, to be Captain, vice Macan, who exchanges 30th April 1836—3d foot, H. C. A. Clarke, gent. to be Ensign without purchase, vice Nugent appointed to 59th foot, 22d April 1836—9th foot, Lieut W. Deane from the 38th foot to be Lieut.

vice Glasse who exchanges, 2d Dec. 1835—17th foot, Lieut R. Duke, from the half-pay, unattached, to be Lieut. vice Phillips appointed to 39th foot, 22d April 1836—Ensign S. H. Corry to be Lieut. by purchase, vice Duke who retires 29th April 1836—T. O. Rutledge, gent. to be Ensign, by purchase, vice Dimond, who retires 29th April 1836—J. V. Tutbill, gent. to be Ensign by purchase, vice Corry, 30th April 1836—39th foot, Lieut H. C. Scarman to be Captain, without purchase, vice Borough dec. 22d April 1836—Lieut S. Phillips from 17th foot, to be Lieut. vice Scarman 22d April 1836—41st foot, M. Langdale, gent. to be Ensign by purchase, vice Napier who retires 22d April 1836—44th foot, Lieut C. K. Macan from the 48th foot to be Lieut. vice Rixey, who exchanges 22d April 1836—62d foot, Staff Asst Surgeon G. Carr to be Asst Surgeon, vice Knox appointed to the Staff 22d April 1836.—*Mem.* The Christian names of Ensign Raikes 20th regt foot, are Frederick Thornton—His Excellency the Commander-in-Chief has been pleased to make the following promotion, by brevet, in the East Indies only:—9th foot, Lieut F. Battine to be Captain, 2d Nov. 1830—Asst Surgeon Pine, 26th regt, doing duty with H. M.'s 11th L. D. will join the corps to which he belongs, without delay—By order of the Commander-in-Chief

No. 182 of 1836.—The Governor Gen. of India in Council is pleased to direct that British officers, serving on military establishments of Native powers, shall, as regards such Native service, and when doing duty with one another take rank and command according to the priority of their respective appointments in the rank which they hold in that service; but, when acting with the forces of the British Government, the relative rank and command of such British officers shall be regulated by the date and tenor of their actual or effective commissions in the British service respectively.

No. 179 of 1836.—The Right Hon. the Governor General of India in Council is pleased to rescind the various Orders\* now in force in this Presidency, in regard of the occupation of ground, and the disposal of premises or buildings situated within the limits of military cantonments, and to substitute for them the following regulation, which is to have effect from the date of its promulgation at the different stations of the Bengal Army:—1. All applications for unoccupied ground,

\* Proceed. G. G. 25th June, 1801. G. O. G. G., 28th Sept. 1807. G. O. G. G., 5th June 1813.



for the purpose of being enclosed, built upon, or in any way appropriated to private purposes,—such ground being within the limits of a military cantonment,—are, in the first instance, to be made to the commanding officer of the station through the usual channel; and, in no case, are the boundaries of compounds to be changed, old roads closed, or new ones opened, without the sanction of the commanding officer.—2. As the health and comfort of the troops are paramount considerations, to which all others must give way, the commanding officer will be held responsible that no ground is occupied in any way calculated to be injurious to either, or to the appearance of the cantonment; and, in forwarding any application for a grant, he must certify that it is not objectionable in those or any other respects.—3. When no objection occurs, the application is to be forwarded through the prescribed channel, by the commanding officer of the station, to the Quarter-Master General of the Army, who, if the Commander-in chief approves, will submit it for the orders of Government.—4. All such applications are to be in the annexed form marked (A.)—5. All grants are to be registered by the officer of the Quarter Master General's Department, attached to the division, and, at stations where no such officer may be present, by the executive officer of public works, to whom also, in such cases, applications for ground are to be addressed; and all grants are to be immediately noted upon the plan of the cantonment in the Quarter-Master General's Office.—6. No ground will be granted except on the following conditions, which are to be subscribed to by every grantee, as well as by those to whom his grant may subsequently be transferred:—1st. The Government to retain the power of resumption, at any time, on giving one month's notice, and paying the value of such buildings as may have been authorized to be erected.—2d. The ground being in every case the property of Govt. cannot be sold by the grantee; but houses or other property, thereon situated, may be transferred by one military or med. officer to another, without restriction, except in the case of reliefs, when, if required, the terms of sale or transfer, are to be adjusted by a committee of arbitration.—3d. If the ground has been built upon, the buildings are not to be disposed of to any person, of whatever description, who does not belong to the army, until the consent of the officer commanding the station shall have been previously obtained under his hand.—

4th. When it is proposed, with the consent of the commanding officer, to transfer possession to a native, should the value of the house, buildings, or property to be so transferred exceed 5,000 rupees, the sale must not be effected until the sanction of Government shall have been obtained through his Excellency the Commander-in chief.—7. All houses in a military cantonment, being the property of persons not belonging to the army, which may be deemed by the commanding officer of the station suitable, from their locality, for the accommodation of officers, shall be claimable for purchase, or for hire, at the option of the owner; in the former case at a valuation, and in the latter at a rent to be fixed, in case of the parties disagreeing, by a committee of arbitration constituted as follows.—8. The committee is to be composed of one civil officer, the principal one, if practicable, at or in the vicinity of the station, the commanding officer of the cantonment, and an officer belonging to the station, to be named by the proprietor of the premises; and their decision, whether relating to the terms of purchase or rent, is to be conclusive, unless it shall be reversed by Government, for whose orders the proceedings of the committee are to be submitted, through his Excellency the Commander-in-chief, whenever the proprietor of the premises which they have valued is dissatisfied with their award.—9. When the houses of the officers of one corps are to be transferred to those of another, as on the occasion of a relief, if a difference of opinion should arise as to the fair terms of the transfer, the price shall be fixed by a committee of arbitration constituted as in the last paragraph, but to which, in such cases, there is to be given an additional member, to be named by the intending purchaser.—10. In this case, there is to be no appeal, and the decision of the committee of arbitration is to be final.

Head Quarters, Calcutta. September 7, 1836.—At a general court-martial, assembled at Cawnpore, on Monday, the 8th day of August, 1836, Lieut. Douglas Kinnaird Wiggins, of the 7th regiment of Light Cavalry, was arraigned on the charge as follows:—Charge,—"For highly insubordinate and disrespectful conduct, in contempt of my authority, and prejudicial to military discipline, in the following instances:—1st Instance. For disobedience of orders, in not having paid to Lieut. Robert Augustus Master, of the same regiment, the amount of four days' allowance of the 2d troop 7th regt. L. C.; he (Lieut. Wiggins) having



been directed to perform that duty, under instructions from his Excellency the Commander-in-chief, and in a public letter to his address from the Adjutant of the regt., under date the 29th June, 1836.—2d Instance. Having, in a letter, under date the 30th of June, 1836, to the address of the Adjutant of his regt., stated, that he (Lieutenant Wiggins) must positively decline doing any further duty, until he has had an opportunity of justifying his conduct in the eyes of the regiment, and of the world; he (Lieut. Wiggins) having, at the same time, sent his sword to the Adjutant; further declaring, in the aforesaid letter, that he considered himself "under arrest from this date."—3d Instance.—Having, in reply to a written communication made to him by the Adjutant of his regt., by my orders, and dated the 1st July 1836, returning to him his sword, and directing him (Lieut. Wiggins) forthwith to return to his duty, addressed a letter to Lieut. Tabor, Adjutant, 7th L. C., on the same date, in which he states, that if the disgrace inflicted on him be not removed, he must still persist in sending him, (meaning the Adjutant) his sword, and considering himself under arrest. He (Lieut. Wiggins) further expressing his determination to decline receiving the same, until restored to him by the sentence of a general court-martial, or with the command of his (Lieut. Wiggins's) troop.—4th Instance. For absentsing himself, without leave, from muster parade, on the 1st, and from riding school drill, on the 2d of July, 1836 (Signed) T. SHUBBICK, Brevet Colonel, Lieut.-colonel commanding 7th regt. Light Cavalry." Finding.—"The court, on the evidence before them, are of opinion, that the prisoner, Lieutenant D. K. Wiggins, of the 7th regt. L. C., is guilty of the whole of the charge, and instances of the charge; preferred against him." Sentence.—"The court having found the prisoner guilty, as exhibited above, do sentence him, Lieutenant D. K. Wiggins, 7th regt. L. C., to lose a portion of his rank in his regt; and accordingly adjudge him to be placed one step lower on the list of the Lieutenants in the 7th regt. of Light Cavalry, to which he belongs." Approved, (Signed) H. FANE, General, Commander-in-chief. E. I.—Calcutta, 6th Sept., 1836.—In conformity to the sentence passed by the court, Lieut. D. K. Wiggins, 7th regt. L. C., will take rank in his corps as 4th Lieut., standing next below Lieut. T. Fraser, and above Lieut. R. A. Master.—Lieut.

Wiggins's is to be released from arrest, and will return to his duty.

With reference to the following Regulations, the Right Honorable the Governor General of India in Council is pleased to notify for general information, that Officers who on retiring from the Military Service of the East India Company, may wish to avail themselves of the advantages now extended to them by their gracious Sovereign, will, on signifying their intention to proceed as Settlers to any of His Majesty's Australian Colonies, be furnished by the Military Secretary to Government at the Presidency to which they belong, with a Certificate of the following form and tenor:—I do hereby certify, that A. B. late a — in the Military Service of the East India Company, on the — Establishment, obtained, on the — of —, the permission of the Governor — in Council, to retire from the Service, for the purpose of proceeding as a Settler, to His Majesty's Colony of —; and that the length of Service of the said A. B. at the period of his retirement, was — years —

Given under my hand, at — in —, this — day of —. (Sig.) Secy. to the Govt. of — Milly. Dept.

Information for the use of the Military and Naval Officers proposing to settle in the British Colonies.—Colonial Office, 15th August, 1831.—1. Annexed is a statement of the Regulations according to which, with such modifications as local circumstances may render necessary, lands belonging to the Crown are disposed of in the several British Colonies in North America, as well as a statement of the Regulations in force in the Australian Colonies.—2. Under these Regulations, Military and Naval Officers cannot receive free grants of land; but in buying land they are allowed a remission of the purchase money according to the under-mentioned scale:

Field Officers of 25 years' service and upwards in the whole	300
Ditto 20 ditto ditto	250
Ditto 15 ditto ditto	200
Captains of 20 years' service and upwards in the whole	200
Ditto 15 ditto ditto	150
Subalterns of 20 years' service and upwards in the whole	150
Ditto 7 ditto ditto	100

Regimental Staff Officers and Medical Officers of the Army and Navy will be deemed to come within the benefit of this rule.—3. Officers of the Army and Navy who propose to proceed to the Colonies in order to take advantage of this indulgence should provide themselves with certi-



sales, from the Office of the General Commanding in Chief, or of the Lords Commissioners of the Admiralty, shewing that their emigration has been sanctioned, and stating exactly their rank and length of service. No document from the office of the secretary of state is necessary.—

4. Officers on half pay residing in the Colony where they propose to settle, may be admitted to the privileges of Military and Naval Settlers, without referring to this country for testimonials, provided they can satisfy the Governor that there is no objection to their being allowed the indulgence; and that their return of their rank and length of service is accurate, provided, if they belong to the Navy, that they produce their letter of leave of absence from the Admiralty.—5. Military Chaplains, Commissariat Officers, and Officers of any of the Civil Departments connected with the Army cannot be allowed any privileges on the subject of Land. Purser, Chaplains, Midshipmen, Warrant Officers, of every description, and Officers of any of the Civil Departments connected with the Navy, must also be considered as not qualified for those privileges. Although Members of these classes may have been admitted formerly and under a different state of circumstances, they must now be excluded.—6. Gentlemen who have ceased to belong to His Majesty's Service cannot be allowed the advantages to which they were entitled while in the Army or Navy. It is not, however, proposed to affect by this rule Officers who desire to quit the service for the express purpose of settling in the Colonies, it is only required that when they resign their Commissions, they should apply for a Certificate from the General Commanding in Chief or from the Lords Commissioners of the Admiralty that they do so, with the view of emigrating; and such Certificate if produced to the Governor of any Colony within one year from its date, but not otherwise, will be a sufficient warrant for allowing the bearer the same advantages as Officers still in His Majesty's Service.—Officers who have sold out within the last twelve months preceding the date of this memorandum will be allowed the usual privileges, notwithstanding their want of the Certificate required by these Regulations, if they present themselves to the Governor of the Colony within a year from the present date. And all Officers who have already been recommended by the General Commanding in Chief will be entitled to their privileges without regard to any obstruction which might otherwise be offered by the Regulations now established.—7. Officers cannot be allowed

advantages in the acquisition of land in any Colony unless it be their intention to fix their residence in that Colony. In order to ensure the observance of this rule, it has been determined that the titles to lands obtained by Officers who take advantage of the peculiar regulations existing in their favour shall be withholden for a period sufficient to prove that they have not repaired to the Colony for the mere purpose of gaining possession of a portion of land and then departing. Two years is the period for which it has been decided that the titles shall be kept back; this delay will be sufficient for the salutary object in view, and will not constitute any serious inconvenience to the *bona fide* Settler.—8. By the annexed Regulations for the disposal of Crown Lands, it will be observed that the general sales will take place periodically. But in order to prevent inconvenience to Officers who may arrive in the intervals between those sales and be desirous at once to obtain an allotment, the Governors of the Colonies are authorized to allow Officers to require at any time, on payment of the upset price, lands which have previously been offered for sale at some general sale and not been bought. Officers will thus be relieved from delay at the time of establishing themselves in the Colony. They will also be enabled by this arrangement which will permit them to obtain their land at a fixed price, to choose such a quantity as shall be exactly equivalent to the amount of the remission to which they are entitled, instead of being liable to be called upon to pay a balance, which must be the case if they bid for lands at a sale by auction.

Terms upon which the Crown Lands will be disposed of in New South Wales, Van Dieman's Land, and the new Settlement of Western Australia.—It has been determined by His Majesty's Government that no land shall in future be disposed of in New South Wales or Van Dieman's Land otherwise than by public sale, and it has therefore been deemed expedient to prepare, for the information of settlers, the following summary of the rules which it has been thought fit to lay down for regulating the sales of land in those Colonies.—1. A division of the whole territory into counties, hundreds and parishes is in progress. When that division shall be completed, each parish will comprize an area of about twenty-five square miles.—2. All the lands in the Colony, not hitherto granted, and not appropriated for public purposes, will be put up to sale. The price will of course depend upon the quality of the land and its local situation,



but no land will be sold below the rate of Rs. per acre.—3. All persons proposing to purchase lands not advertised for sale, must transmit a written application to the Governor, in a certain prescribed form, which will be delivered at the Surveyor General's Office to all persons applying, on payment of the requisite fee of Rs. 6d.—4. Those persons who are desirous of purchasing will be allowed to select, within certain defined limits, such portions of land as they may wish to acquire in that manner. These portions of land will be advertised for sale for three calendar months, and will then be sold to the highest bidder, provided that such bidding shall at least amount to the price fixed by Article 2.—5. A deposit of £10 per cent. upon the whole value of the purchase must be paid down at the time of sale, and the remainder must be paid within one calendar month from the day of sale, previous to which the purchaser will not be put in possession of the land, and in case of payment not being made within the prescribed period, the sale will be considered void and the deposit forfeited.—6. On payment of the money, a grant will be made in fee-simple, to the purchaser, at the nominal quit rent of a pepper corn. Previous to the delivery of such grant, a fee of forty shillings will be payable to the Colonial Secretary for preparing the grant, and another fee of five shillings to the Registrar of the Supreme Court for enrolling it.—7. The land will generally be put up to sale in lots of one square mile, or 640 acres; but smaller lots than 640 acres may, under particular circumstances, be purchased, on making application to the Governor, in writing, with full explanations of the reasons for which the parties wish to purchase a smaller quantity.—8. The Crown reserves to itself the right of making and constructing such roads and bridges as may be necessary for public purposes in all lands purchased as above, and also to such indigenous timber, stone, and other materials, the produce of the land, as may be required for making and keeping the said roads and bridges in repair and for any other public works. The Crown further reserves to itself all mines of precious metals.

**MARRIAGES.**—Aug. 21, Mr J. N. Martin to Miss H. Napier—Sept. 13, at Agra, Mr G. Gibbon to Miss A. Freames—15, at Mhow, Lieut J. H. Campbell, Art. to Miss A. H. Stedman—at Cawnpore, Mr C. Fernien to Elizabeth, eldest daughter of Conductor W. Raynor—24, Mr M. Hays to Miss G. Vallis.

**WEDDINGS.**—Aug. 4, at Meerut the lady

of J. Inglis, Esq. 2d regt L.C. of a daughter—5, at Delhi, the lady of Lieut J. H. Scott 38th N.I. of a son—16, Mrs J. W. Cliff of a daughter—Sept. 13, at Ghazee-pore, the lady of Major Pratt H. M.'s 26th regt of a daughter—20, at Futteh-pore, the lady of H. Armstrong, Esq. C.S. of a daughter—24, at Midnapore, the lady of Major Ramsay 24th regt N.I. of a son—The wife of Mr. F. M. Bouchez of a son—25, the wife of Mr. R. Deefholts of a son—the lady of E. W. Brightman, Esq. of a daughter—at Balasore, the lady of W. S. Dickens Esq. Civil Surgeon of a daughter—26, the wife of Sub-conductor Connor of a son—27, the wife of Apothecary J. Pitts of a son—29, the lady of A. Littledale, Esq. C.S. of a daughter.

at Agra, Mr M. Lieut F. Beck, 15th regt N.I.—7, at Cawnpore, John, infant son of Mr J. Walker—10, at Saugor, William, son of Serjt Major W. A. Smith—17, Mr. P. Miller, ship "Bengal."—Master A. Bell—30, at Chandernagore, Eliza, widow of Dr. Hartley, Bengal Medical Service—Sept. 1, James Tousseint, Esq. son of Captain Tousseint, Country Service—Elizabeth, wife of Mr T. D. B. Kirby—10, at Akyah, Louisa, daughter of Captain Dickenson—17, at Banda, Lieut-colonel J. Hunter—18, at Allahabad, Jane, wife of Captain J. Bedford—19, at Reeprah, the infant son of J. W. Yule, Esq—20, at Sultanpore, Ena J. J. M. Morgan 63d regt N.I.—23, Mr A. Gregory—Mr D. Tale—24, Maria, wife of Mr F. Hurd—25, Mr C. H. Moffat—26, at Barrackpore, Conductor A. Reid—29, Mr H. Festing—Oct. 10, at Neemuch, Colonel T. D. Stuart 1st L.C.

### Madras.

We are given to understand that a Court-Martial will shortly meet in Fort St. George for the trial of Captain Fitz Gibbon on certain charges, arising out of the publication of a pamphlet relating to former proceedings in which that officer was concerned. These charges which are preferred by Major Wallace, we are informed were delivered on 22d Sept. It is also said there are certain other charges which will be brought forward against the same officer, from Head Quarters.

We understand that application has been made to Government by Brigadier Genl. Taylor, commanding the Northern Division, for the establishment of a Field Magazine at Gumsoor, both to ensure an adequate supply of ammunition, and to save the trouble of conveyance from one part of the country to another—The Ma-



## Indian News.—Madras.

gazine is to be supplied with ammunition for one Company of Foot Artillery and six regiments of Native Infantry, with some irregular horse. We hear that Government have determined to prosecute the war during the ensuing season with as much vigour as the nature of the country will permit.

The *True Briton*, having on board his Excellency Lieut. Genl. Sir Peregrine Maitland appointed to the office of Commander-in-chief at this Presidency, anchored in Madras Roads on the 10th Oct. 1836, and at five o'clock in the afternoon of the following day his Excellency landed under a salute of 17 guns at the Sea Gate of Fort St. George, where he was received by Lieut-Genl. the Hon. Sir Robert William O'Callaghan and other Functionaries.

The Governor arrived at the Presidency from the Nellore on the 6th of Oct. and his arrival was announced by the accustomed salute from the Battery of Fort St. George. His Excellency appears to be in excellent health.

The Right Rev. Don Antonio Texeira, the newly appointed Roman Catholic Bishop of Milapore, who lately arrived from England in the "*Thomas Grenville*," underwent the ceremony of being enthroned, and took possession of the ancient Cathedral at St. Thome on the 6th of Oct. This proceeding has, we perceive, roused the ire of the Rev. P. E. Moriarity, Vicar General, and has occasioned a long address from him "To the Roman Catholics of Madras." He disputes the appointment of the new Bishop, as being made by the Queen of Portugal instead of by the Supreme Pontiff—Those who are fond of such subjects may therefore expect a renewal of the controversy on the oft agitated question of Ecclesiastical Jurisdiction among the Roman Catholic fraternity.

**CIVIL APPOINTMENTS.**—Sept. 6, Mr. C. R. Cotton to be a member of Marine Board and Commercial Committee—21, Rev. V. Shortland to be Chaplain at Quilon—Rev. G. K. Graeme to be ditto at Vizagapatam, vice Chester *dec*—23, Mr G. A. Smith, senior merchant, has reported his return to his duties—Mr J. R. Pringle to be writer on the establishment—46, Mr. J. H. Bell to be head Asst to Collector and Magistrate of Rajahmundry vice Mr Dumergue who proceeds to Europe on sick certificate—Mr G. A. Harris to act as head Asst to the Collector and Magistrate of Guntoor during the absence of Mr. Mathison or till further orders—27, Mr W. W. R. Taylor to act as Judge and Criminal Judge of Nellore during

the absence of Mr. Grant or till further orders—Mr G. S. Bruere to act as Asst Judge and joint Criminal Judge of Chingleput during Mr Morehead's absence—30. Mr R. Grant Judge and Criminal Judge of Nellore delivered over charge of the Zillah Court of that station on 26th Sept. to Mr H. D. Phillips the Register—Oct. 4, Mr H. S. Gurnee resigns the service of the H. C. on his succeeding to an annuity of £1,000 per annum.—To be Senior Merchants from the dates set opposite their names: Mr F. Anderson 30th Sept. 1836—Mr. P. B. Smollett 30th Sept. 1836—7, Rev. G. W. Mathon to be junior Chaplain at Bangalore, and continue to officiate as Chaplain at St. Thomas's Mount till relieved—11, Mr G. A. Smith to act as Judge and joint Criminal Judge of Rajahmundry during the absence of Mr Wray on sick certificate or till further orders—Mr E. B. Glass to act as Collector and Magistrate of Guntoor during the absence of Mr Bruce on leave or till further orders—Mr M. Murray to be Register to Zillah Court of Cuddapah, vice Mr Skelton *dec*.

**MILITARY APPOINTMENTS, PROMOTIONS, CHANGES, &c.** from Sept. 7th to 16th Oct. — 22d N. I. Lieut A. T. Bridge, to be Quarterm. and Interp.—32d N. I. Lieut C. H. Wilson to be Quarterm. and Interp., vice Baker resigned—Lieut W. A. Mackenzie 17th N. I. placed (temp.) at disposal of Com.-in-chief for regimental duty—2d Lieut Johnson, corps of Sappers and Miners, to assist Captain Cotton, under Mil. Board, in levelling, &c. Red Hill rail line—Captain E. A. Langley 3d L. C. to be Mahratta Translator to Tanjore Comms. subject to the confirmation of the Gov.-Genl.—The appointment of Asst Surgeon C. Ferrier 4th L. C. to afford med. aid to the troop of 3d L. C. on field service to Goomsoor, cancelled—Engrs:—Senior Major D. Sim to be Lieut-colonel—Senior Captain J. Purton to be Major—1st Lieut W. H. Atkinson to be Captain—and 2d Lieut. H. Watts to be 1st Lieut, vice Garrard *dec.*, date of commission 2d Sept. 1836—2d Lieut R. H. Chapman to be brought on effective strength of the corps from 2d Sept. 1836, to complete the Etab.—Revenue Department:—The Chief Engineer to have a seat at Revenue Board, in Marine Department; and Major Ross of Engineers to be Secy. to Revenue Board, in Department of Public Works; the office of Insper. General of Civil Estimates, discontinued—Lieut-col W. Monteth, K. L. S., Engrs. to be Chief Engineer, with a seat at Military Board, and a seat at the Board of Rev.,



in Marmut Depart., vice Lieut-colonel Garrard *dec.*—The under-mentioned entitled to off-rec. onlg.:—Colonel G. L. Wajah—Colonel J. Carfrae from 20th Feb.—Lieut F. Ditmas 2d Asst to Civil Engr., 1st div., to be 1st Asst to Civ Engr. 3d div., vice Best—2d Lieut T. Smythe employed (temp.) as an Extra Asst in 1st div., to be 2d Asst to Civil Engr. in 1st div., vice Ditmas—21st regt N I, Senior Ensign J. Campbell to be Lieut, vice Turnour retired; date of com. 7th April 1835—Senior Ensign C. Cooke to be Lieut, in succession to Campbell promoted; date of commission 14th Feb. 1836—Brevet Captain J. Fitzgerald to be Captain, and Senior Ensign C. C. Foote to be Lieut, in succession to Macpherson promoted; date of commission 25th June 1836—The under-mentioned admitted on Estab., as Cadets, and prom. to rank of Cornet and Ensign:—Cavalry Mr C. W. Gordon. Mr R. W. Raikes—Infantry, Mr W. T. Money—Major J. Wallace 46th N I, to be President of General Inval. and Committee at Fort St. George, in room of Major L. W. Watson 17th N I, relieved—The under-mentioned placed at disposal of the officer commanding N. Division, to join the field in Goomsoor:—Asst Surgeons T. C. Jordon, H. M.'s 63d foot; J. Anderson, M. D., ditto; H. O. Snowden, ditto; J. Grant, M. D., Pres. General Hospital—Asst Surgeon C. C. Linton 27th N. I, to do duty and have medical charge of 5th L C, during absence of Surg. Macdonald or till further orders—Asst Surg. J. P. Grant to be Surg. from May 18, 1836, vice Conwell *dec.*—Messrs. D. Macpherson, M. D., R. Maginnis, and E. G. Balfour, admitted on Estab. as Asst Surgeons, and to do duty, the former at Gen. Hospital at Pres., and the latter under the Surg. of 2d batt Art., at St. Thomas's Mount—Mr. J. Todd to be an Asst Surgeon—18th regt N. I, Senior Ensign W. M. Johnston to be Lieut, vice Christie *dec.*; date of commission 23d Sept. 1836—4th regt. N I, Lieut O. D. Stokes to be Quarterm. and Interp vice Chinnery—28th regt N I, Lt. A. M. McCally to be Quarterm. and Interp.—3d L C, Serjeant P. Laurent to be Riding Master—4th L C, Quarterm. Serjt G. Proudfoot, from 8th L C, to be Riding Master.—The under-mentioned admitted on the Estab. and prom. to rank of Cornet and Ensign, leaving dates of commission to be settled hereafter:—Cavalry, Mr A. J. Curtis—Inf., Messrs. W. Chalfield, T. W. Strachey, E. Martin, S. D. Young—Lieut. S. Peshier all 49th regt N I, is re-admit. on estab.—Captain J. Glough 11th regt N I, to take

charge of infantry recruits recently arrived, and Lieut H. P. White 47th regt to do duty with detachment—The order by officer commanding L. division appointing Captain McNeil 6th L C, to act as deputy Asst Quarterm. Genl during the absence of Captain Logan or till further orders, confirmed—Cornet F. H. Scott to act as Quarterm. and Interp., 8th L C, vice Down resigned—Colonel M. Fane H. M.'s 54th foot, to be a Brigadier, 2d class, and to command Trichinopoly, vice Kenny (to Europe)—Capt. R. Codrington 46th N I, to be Fort Adj. of Trichinopoly, vice Hicks—35th N I, Lt. P. Oliphant to be Adj. —46th N I, Lieut C. R. Mackenzie to be Quarterm. and Interp.—12d N I, Senior Ensign C. Burton to be Lieut, vice Foote *dec.*; date of com. 1st. 1836—The order

of J. A. Moore 10th N I, at the disposal of the Commander-in-Chief, cancelled—Lieut W. Gordon dep. Asst Quarterm. Genl. of the Army, and T. McGoun deputy Judge Advocate Genl both of 6th N I, placed temp. at the disposal of the Commander-in-Chief for regimental duty, the latter officer without prejudice to his Staff duties of deputy Judge Advocate Genl. north division—Captain A. Pinson 46th N I, to be a member of Genl Invaliding Committee at Fort St. George—Mr G. F. Salmon recently arrived admitted on the establishment as Cadet of Infantry and promoted to Ensign, date of commission unsettled—Captain A. Pinson 46th N I, is relieved from the duties of Genl. Invaliding Committee at Fort St. George—Senior Asst Surgeon D. Richardson to be Surgeon from 3d Oct. vice Fasken *dec.*—Mr T. G. Johnston, M. D. recently arrived to do duty as an Asst Surgeon at Genl. Hospital—Lieut H. Gordon 18th N I, to act as deputy Asst Quarterm. Genl. of the Army during the absence on service of Lt W. Gordon 6th N I—M. European regt Lieut J. L. Stephenson to be Adj. vice Neil resigned—Captain J. Wylie, 45th N I, to take charge of young officers to Bangalore—Captain J. J. Underwood, Engr. to be Superintending Engr. at the Presidency, vice Monmouth—1st Lieut H. A. Lake to be Adj. to the corps of Engineers vice Garrard *dec.*—2d Lieut T. Smythe to be 1st Lieut, vice Garrard, date of commission 2d October, 1836—Superintending Surgeon J. Cuddy to act as 3d Member of the Medical Board, during absence of Mr. Underwood on sick certifi. or until further orders—Super Surgeon L. G. Ford to act as Super. Surgeon in Pres. Div., vice Cuddy—Super. Surgeon J. White to act as Super. Surgeon in



Centre div., vice Ford—The senior Med. Officer in the Ceded Districts, to act as Super. Surgeon in that Div., vice White—Asst Surg. A. Allardice to be Medical Officer at Cochin, vice Oliphant—1st Lt. T. Lavie, Art., to be Secy. to Military Board, vice Sewell *dec.*—Lieut. Smythe 2d Asst to Civil Engr, 1st div., placed at disposal of Com.-in-chief to be employed in corps of Sappers and Miners, and to take charge of detachment proceeding from Hyderabad to Goomsoor—2d Lieut Armstrong, acting Super. Engr N. Div., to join the field force with any European Sappers he may have under him—Capt. J. Wyllie 45th N. I. to be a member of a Court-martial of which Colonel Sewell is Pres.—Asst Surgeon Cox E Troop H A. on being relieved from his med. duties at Coimbatore, to join the F Troop H A., during absence of Asst Surgeon Macintosh—Captain Wyllie's appointment to the charge of young officers, as above, cancelled—Lieut P. G. Cazalet, 29th regt, to act as Fort Adj of Masulipatam during the absence of Lieut Sturton field service with corps or till further orders—Cornet G. L. H. Gail, 5th I. C. to act as Adj. vice Fraser—Col. R. B. Fearon, C. B. H. M.'s 6th foot, to act as military Secy. to the Commander-in-chief till further orders—Captain W. Conway, 52d B. N. I. to be Aide-de-camp to the Commander-in-chief—Lieut G. Hamond 51st N I, has resigned his appointment as Quarterm. and Interp. to that corps—Lieut J. F. Elliott, 2d vet batt, to join and do duty with the detachment of that corps at Cuntoor.

REMOVAL AND PORTINGS from 9th April to July 1836—Major E. W. T. Hilgame, invalid to Carnatic Barr. Vet. batt—Cornet W. N. Mills 4th to 8th regt I. C., to rank next below Cornet J. E. Monckton—Asst Surg E. G. Bodwell from B. comp. 4th batt Artillery and placed under orders of the officer commanding north division for employ in Goomsoor—Lieut-col. M. Riddell 2d I. C. to 8th L C; R. H. Russell 8th L C. to 2d L C; T. Marleau left wing Madras European regt. to 14th regt; F. Hallesman, late prom. to left wing Madras European regt—Lieut-col. S. S. Gummer 8th regt N I, to 9th regt N I; R. Fenwick 9th ditto to 8th ditto—Lieut-colonel J. Ogilvie 33d to 43d regt. and Lieut-colonel A. Cooke from the latter to the former corps—Lieut-col. E. I. Smythe 7th to 2d L C, and Lieut-col. R. James, late promotion, to former regt—Asst Surgeon R. H. Renwick doing duty with H. M.'s 54th foot, to do duty under the depot Surgeon at Cuddalore,

and will join after the duty he is now ordered upon is concluded—Asst Surgeon J. W. G. Middlemass doing duty under the Surg of Gen Hosp at Pres to do duty with H. M.'s 63d foot—Infantry: Col. H. Bowdler, late promotion, 21st regt—Lieut-colonel A. Inglis, late promotion, 3d I. I.—Lieut-col. A. Tulloch late prom. 35th regt—Ensign W. J. Wilson 52d to 43d regt N I, to rank next below Ensign R. J. Kempt—Cornet J. E. Monckton 8th to 1st regt L. C., to rank next below Cornet H. Hall—Surgeon J. Richmond 31st to 30th regt, and Surgeon J. Thompson, late promotion to former regt—To do duty: Cornet S. T. Watson with 8th regt L C—Ensigns F. Childers with 27th regt N I, H. D. Abbott 27th regt N I.—C. Mockler 20th regt N I.—R. I. Reilly, lately arrived, with 6th regt N I, till further orders—Ensign J. J. Gibson 45th to 26th regt N I. till further orders and to join Ens. A. R. West 4th, to do duty with 8th regt N I, till further orders and to join Captain F. Daniell, invalid establishment, to 1st N. V. batt—To do duty: Ensign R. P. Podinors with 18th regt N I—Ensign F. Nelson 42d regt N I, the latter to join detachm. proceeding to Bangalore—Ensigns G. S. Dobbie 17th N I, R. P. K. Wait 6th ditto T. M. Warre 6th ditto, B. Revell 45th ditto, G. W. N. Dunlop 45th ditto.—Asst Surgeon J. Middlemass H. M.'s 63d to do duty with H. M.'s 54th foot—Asst Surgeons J. W. G. Macdonell and T. G. Jerdon, Presidency Genl Hospital, to do duty, the former with H. M.'s 19th and the latter with H. M.'s 63d foot—To do duty: Ensigns W. R. Fullerton, recently arrived, with 4th regt N I, O. Bracey, ditto, 19th regt N I—Ensign H. D. Abbott 27th, to do duty with 30th regt N. I. and directed to join—Mr. J. Arthur M. D. and Mr. A. Lorimer M. D. recently arrived, to be Asst Surgs. and to do duty the former under Surgeon of 2d batt and the latter under the Surgeon of Genl Hospital at Presidency—Med. Department: Surgeon J. Delmahoy 16th regt to 9th regt—Surg S. Higginson 8th regt to 13th regt to do duty till an opportunity offers for him to embark—Surg T. M. Lane 2d regt to 3d I. C.—Surgeon R. Oliphant, late promotion, 22d regt—Asst Surg-on A. Shaw 2d regt to 9th regt—Asst Surgeon G. Harrogh, M. D. doing duty with H. M.'s 39th regt, to A Troop H. A.—Vet. Surgeon T. Aaron doing duty with 2d L C, to F. Troop Horse Art.—Asst Lieut J. W. Good 1st to 3d batt Art.—Artillery—Captains J. Ohlsholm 1st batt to 2d batt, J. Beck (late prom.) 3d batt—1st Lieut J. K. B. Timins



(late promotion) 1st batt; F. B. Ashley (late promotion) 4th batt—To do duty:—Cornet G. A. Farmer (just arrived) with 2d regt L. C.; Ensign A. A. Geils 29th regt N I; V. C. Taylor 45th N I; E. W. Metcalfe 6th N I; J. M. H. Phillips 6th N I; and J. P. M. Biggs 18th N. I; till further orders—Captain J. N. Beaver (Invalid Estab.) to Carnatic Eur. Vet. batt—Ensign J. Richardson 28th to 43d regt N I, to rank next below Ensign W. J. Wilson—Ensign W. H. Baynes (recently arrived) to do duty with 6th N I, till further orders—Lieut-colonels J. Briggs 42d to 44th foot. S. S. Gummer 9th to 22d ditto, T. Maclean 14th to 9th ditto, S. J. Hodgson 49th to 14th ditto. W. (Baron) de Kutzleben 44th to 49th ditto, W. H. Rowley 11th to 42d ditto, C. Lethbridge 22d to 11th ditto—Major A. Calder Madras Eur. regt, to do duty with 11th regt—Cornet W. N. Mills 4th to 1st regt L. C, to rank next below Cornet E. C. Curtis—The under-mentioned recently arrived and prom. to do duty thus:—Cornet R. J. Pollock 8th regt L. C—Ensign H. P. Keihly 6th regt N I—Asst Surgeon R. H. Everard H. M.'s 54th foot, to afford medical aid to detachment of that corps, and to the details of 2d batt Art, proceeding to Trichinopoly under command of Lieutenant Dodd—Asst Surgeon W. Mackenzie, to medical charge of Artillery, at Bellary, without prejudice to his doing duty with H. M.'s 55th foot—Ensign S. G. G. Orr from left wing Eur regt, to 23d regt L. I, to rank next below Ensign W. Bird—Cornet Hon. P. T. Pellew from 6th to 5th regt L. C, to rank next below Cornet A. R. Thornhill—Infantry:—Colonel A. Fair 51st to 27th regt—Col. J. Hackett, late promotion, to 51st regt—Lieut-colonel J. Stewart 52d to 51st regt—Lieut-colonel A. B. Dyes, late promotion, to 52d regt—Lieut J. F. Elliot, recently invalided, posted to 2d N. V. batt, and to join Head Quarters—To do duty:—Cornets L. Harrow 3d L. C—C. Campbell 6th L. C—F. Napier 6th L. C—R. Hunter 8th L. C—Ensigns P. Ogilvy 6th N I—G. de Saumarez 17th N I—J. McVicar 27th N I—Surgeon J. Wylie 52d to 18th foot—Surgeon J. Adams 18th ditto to 52d ditto—Surgeon C. Desormeaux 46th N I, to 17th N I—Surgeon R. Wight 17th to 46th N I—Asst Surg J. Gill 17th to 37th N I, and to afford medical aid to a detachment of young officers, &c., proceeding to Secunderabad—Ensign G. B. Stevens left wing M. Eur. regt to 32d regt, to rank next below Ensign W. R. Studdy—Ensign W. F. Hutton 9th to 34th L. I, to rank

next below Ensign T. Thompson—Asst Surgeon C. Ferrier 13th L. D, to 4th L. C, vice Rogers—2d Lieut S. E. O. Ludlow posted (temp) to corps of Sappers and Miners, without detriment to his previous appointment, and will assume charge of boring party in south division—Asst Surgeon W. Milligan H. M.'s 63d foot, to medical charge of the Garrison Depot, &c., of Poonamallee, vice Stephenson promoted to 54th foot—Cornet W. N. Mills 1st to 6th L. C, to rank next below Cornet W. Vine—Cornet H. Hall 3d to 1st L. C, to rank next below Cornet E. C. Curtis—Ensign T. M. Warre 43d to 9th regt N I, to rank next below Ensign T. Haines—Cornet T. Newbery 2d to 8th L. C, to rank next below Cornet F. H. Scott—Cornet W. C. R. Macdonald 8th to 2d L. C, to rank next below Cornet J. E. Monckton—Asst Surg. G. Paterson, M. D., removed 1st March last, from 8th L. C—Cornet T. W. Claggett from 8th L. C, posted to 2d L. C—Cornet H. H. Freeling to 8th L. C—Cornet S. T. Watson to 4th L. C—Cornet G. A. Farmer to 1st L. C—H. F. Philippe to 3d L. C—R. J. Pollock to 8th L. C—Ensign W. Youngson to do duty with 6th regt N I—Lieut-colonel R. L. Evans, C. B., from 38th to 42d regt N I—Lieut-colonel J. W. Cleveland, late promotion, is posted to 38th regt N I—Artillery:—Major A. Crawford 2d batt Art. to 3d batt Art—Major P. Montgomerie horse brig, doing duty with 4th B Art., to do duty with 2d batt Art—Capt. F. Bond 3d do. to 4th do.—Inf., Lt cols. S. B. Gummer 22d to 43d N I—J. Ogilvie 43d to 11th ditto—C. Lethbridge 11th to 22d ditto—Asst Surgeon P. Roe M D, from medical charge of detachment of Sappers and Miners and Convicts, under orders of Lieut. Cotton Engrs, to do duty with H. M.'s 41st foot; and Asst Surg H. B. Buchanan doing duty under Super. Surgeon of the northern div., to the above charge—Asst Surgeon R. Hicks doing duty with H. M.'s 45th foot, and appointed to medical charge of the B. company of the Secunderabad batt of Art., ordered from Secunderabad on field service to Goomsoor—Medical Depart.:—Surgeons W. Wilson, M. D., 6th to 17th regt N I; C. Desormeaux 17th to 6th ditto; J. Macfarland 25th to 40th ditto; A. Stuart 40th to 25th ditto—Asst Surgeons G. W. Scheniman 40th to 45th ditto; D. Starrock, M. D., 6th to 17th ditto; J. Cardew, M. D., 45th to 25th ditto—Asst Surgeons J. Anderson, M D, and H. O. Snowden, M. D, reported qualified for the treatment of acute diseases, and doing duty in Gen. Hospital



at Pres., to do duty with H. M.'s 63d foot—Surgeons W. Hannister 35th to 46th N I; J. W. Sherman 46th to 35th N I—Asst Surgeon J. Hichens 35th to 46th ditto—Ensign F. H. Sansom 41st to 42d regt N I, to rank next below Ensign A. Tod—Cornet F. Napier 2d L C. to do duty with 5th L C. till further orders—Asst Surgeon J. Adams 2d batt Art, to do duty with H. M.'s 39th foot—Ensign G. B. Stevana 32d N I, to do duty (temp.) with 20th regt, till arrival of his corps at Bangalore—Surgeon R. Anderson is removed from the right wing Madras Eur. regt to the 10th regt N. I, and Surgeon S. Stokes from the latter to the former corps—Surgeon C. Currie 4th to 51st N I—Surgeon J. Simm 51st to 4th ditto—Asst Surgeon G. W. Scheniman 45th to 18th ditto—Asst Surgeon J. McKenna 41th to 45th ditto—Asst Surgeon J. Flockton 4th to 32d ditto—Asst Surgeon J. Innes 32d to 51st ditto—Asst Surgeon A. J. Will 18th to 9th ditto—Asst Surg. A. Shewan 9th to do duty with 27th ditto—Asst Surgeon T. S. R. Middlemist 51st regt to do duty under the Garrison Surg. at Masulipatam—Ensign G. W. Peyton 46th to 25th regt N I, to rank next below Ensign W. W. Anderson, and proceed forthwith to join the 25th regt N I—Ensign G. de Sausmarez 17th N I, to do duty with 18th N I, till further orders—To do duty:—Cornet C. W. Gordon with 6th L C—R. W. Raikes 6th L C—Ensign R. P. Podmore 47th to 44th regt N I, to rank next below Ensign W. M. Wahab—Lieut. A. Wood 20th regt, to do duty with detachment of Eur. Recruits in Port St. George, under the command of Captain Clough—The under-mentioned young officers, recently arrived and promoted, to do duty with the regts opposite their names, till further orders:—Cornet A. J. Curtis, 4th regt L C—Ensign W. Chasfield, 45th regt N I—Ensign T. W. Strachey, 46th ditto—Ensign E. Martin, 28th ditto—Ensign S. D. Young 45th ditto—Surgeon C. Desormaux 6th to 12th regt N I, and to join the 2d N. V. B., at Wallajahad forthwith—Surgeon R. Sutherland 12th to 17th N I, to join forthwith—Surgeon W. Wilson, M. D., 17th to 6th ditto—Asst Surgeon D. Sterrock, M. D., 17th to 6th ditto—Asst Surg. T. C. Jerdon to do duty with 17th regt N I till further orders—Asst Surgeon J. Anderson, M. D., to do duty with 6th N I, till further orders—Asst Surgeon A. J. Will 9th regt N. I, will join, and do duty with 45th regt N I, at Palaveram forthwith—Lieut-colonels S. S. Gummer 43d to 42d regt N I; R. L. Evans, C. B., 42d to 29th ditto, J. Noble 29th to 43d

ditto—Surgeon W. Fasken, M. D., 2d batt Art., to 4th batt Art.—Surgeon J. L. Geddes 4th batt to 2d batt Art.—Ensigns P. Ogilvy and W. Youngson doing duty with 6th to do duty with 46th regt N I—Ensign J. C. McCaskill and E. W. Boudier 31st regt N I, to do duty with 4th regt, and will proceed with that corps to Cannanore, when they will join the head quarters of their regt—Ensign W. R. Studdy 32d regt N I, to continue doing duty with the 12th regt till the arrival of the 32d regt at Bangalore, when he will join—Captain G. J. Richardson 31st L I, to do duty with 21st regt till further orders—Cornets R. Hunter and C. Campbell 8th L C, do duty with 6th L C till further orders—Major A. L. Murray 3d batt Art, to 2d ditto—2d Lieut. J. A. Gunthorpe 1st to 4th ditto; J. Babington 3d to 4th ditto; T. Austin 4th to 1st ditto—Surgeons J. Wylie 18th N I to 4th batt Art; J. P. Grant, late promotion, to 18th N I—Asst Surgeons W. Lawrie 28th N I to 18th ditto; J. Davies Madras Eur. regt to 36th ditto—Ensign G. F. Salmon to do duty with 20th N I—Cornets C. Campbell 6th L C to 4th L C; F. Napier 6th ditto to 1st ditto; R. Hunter 6th to 7th ditto—Lieut-colonel J. Dalgalins 19th to 52d regt; and Lt-colonel A. B. Dyce from latter to former corps—Lieut-colonels D. Ross 18th regt to 40th ditto; W. (Baron) De Kutzleben 49th ditto to 18th ditto; T. Marrett 6th ditto to 10th ditto; S. I. Hodgson 14th ditto to 6th ditto; N. Alves 10th ditto to 14th ditto; to take effect from the date the 6th regt disembarks at Mombasa—Major G. G. Alves 18th regt N I, to do duty with 49th ditto, and will join forthwith.

**ALTERATIONS OF RANK.**—Surgeon R. Baikie M. D. to take rank from 30th May 1834, vice Scott retired—Surgeon A. N. Magrath to take rank from 15th Sept. 1834, vice Paterson *dec*—Surg. D. Falconer (previous appointment cancelled) to take rank from 12th Oct. 1834 vice Hazlewood *dec*—1st Lieut F. B. Ashley and 2d Lieut J. W. Good. Art. to take rank from 16th Feb. 1836, vice Denman *dec*—Senior 2d Lieut W. M. Gabbett to be 1st Lieut, vice Carruthers *dec*, date of commission 6th June, 1836—Supers 2d Lieut A. W. Macintyre to be brought on the effective strength from 4th June 1836, to complete the establishment—Infantry: Colonel J. Hackett to take rank from 19th Feb. 1836, vice Macaulay *dec*—Lieut-colonel James Noble to take rank from 19th Feb 1836, in succession to Hackett promoted—29th regt N. I, Major E. T. Hingams;



Captain R. Hurlock, and Lieut P. G. Gazet to take rank from 10th Feb. 1836, in succession to Noble promoted—Infantry, Lieut-colonel F. Huleman to take rank from 5th March, vice Kyd retired—15th regt N I, Major W. H. Smith, Capt H. L. Harris, Lieutenant W. Bisset to take rank from 5th March, in succession to Huleman promoted—Infantry, Lieut-colonel A. Inglis to take rank from 31st March, vice Crewe *dec*—18th regt N I, Major R. Alexander, Capt D. Littlejohn, Lieut J. P. Germon to take rank from 31st March, 1836, in succession to Inglis promoted—Infantry, Lieutenant-colonel A. Tulloch to take rank from 10th April 1836, vice Muriel *dec*—7th regt N I, Major W. N. Burns, Captain D. Scotland Lieut R. Chester to take rank from 10th April 1836, in succession to Tulloch promoted—Infantry, Lieut-colonel A. B. Dyce to take rank from 11th May 1836, vice Sneyd *dec*—4th regt N I, Major J. D. Stokes, Captain W. C. Chianery, Lieut J. McVahon Johnston to take rank from 11th May 1836, in succession to Dyce promoted—Lieut R. A. Bruere to take rank from 12th July 1835, vice Wilkinson resigned—42d regt N I, Captain T. H. Zouch and Lieut H. O. Marshall to take rank from 8th Feb. 1836, vice Tollope retired—Surgeons Robert Scott to take rank from 15th Sept. 1833, vice Sandford retired—J. B. Preston to take rank from 27th Sept 1833, vice Donaldson *dec*—W. R. Smyth, A. B. to take rank from 28th Sept. 1833, vice Cormick *dec*—J. L. Geddes to take rank from 1st Nov. 1833, vice Campbell *dec*—T. M. Lane to take rank from 18th Nov. 1833, vice Turnbull retired—B. G. Maurice to rank from 19th Dec. 1833, vice Norris retired—J. Macfarland to take rank from 8th Jan. 1834, vice Herklotz *dec*—R. Baikie, M D, to take rank from 8th Feb. 1834, vice Atkinson retired—A. N. Magrath to take rank from 30th May 1834, vice Scot retired—D. Falconer to take rank from 13th Sept 1834, vice Paterson *dec*—A. Stuart to take rank from 12th Oct. 1834, vice Hazlewood *dec*—A. E. Bleat M D, to take rank from 1st Feb. 1835, vice Gibbon retired—J. Lawder to take rank from 1st Feb. 1835, vice Cruickshank retired—R. Sutherland to take rank from 16th March 1835, vice Kellett *dec*—J. Ricks, M D, to take rank from 27th April 1835, vice Geddes retired—J. Colquhoun M D, to take rank from 8th Jan. 1836, vice Richards retired—G. Hopkins M D, to take rank from 15th Jan. 1836, vice Reid retired—G. A. C. Bright to take rank from 22d Feb. 1836, vice Da-

vies retired—J. Thomson to take rank from 24th Feb. 1836, vice Hay retired—R. Oliphant to take rank from 1st March 1836, vice Williams retired—25th regt N I, Captain J. Mann and Lieut J. W. Farran to take rank from 27th July 1834 vice Harkness retired—Senior Lieut C. O. Backhouse to be Captain, and Senior Ensign H. B. Phillott to be Lieut, in succession to J. Ross promoted, date of commission 17th Nov. 1834—30th regt N I, Senior Lieut E. Horne to be Capt, and Senior Ensign J. Graham McNab to be Lieut, vice Deane *dec*, date of commission 2d Oct 1836.

**MOVEMENTS OF REGIMENTS.**—The 12th regt N I, from Bangalore to Palaveram to be embarked for Penang—The movement of 44th N I, to Penang, directed in G. O. of 30th Aug., countermanded.

**QUALIFIED IN THE NATIVE LANGUAGES.**—Lieut A. M. McCally 28th regt—Lieutts P. Oliphant 35th foot, and C. R. Mackenzie 46th foot.

**RETURNED TO DUTY.**—Brevet Capt O. Bell 12th N I—Major E. Macpherson 43d N I—Captain G. Gray 21st N I—Ensign C. A. Butler 21st N I—Surgeon S. Stokes—Lieut-colonel S. S. Gummer 43d N I—Lieutts R. Prescott 8th L C; Lieutenant F. G. Walker 28th N I; G. Glascock 40th N I—Captain J. Macartney 1st N. V. B.—Lieut R. Mackenzie 8th N I—Lieut S. Peshall 40th N I—Lieut F. B. Lys 45th N I.

**PULLOCHS.**—Lieut F. Simpson—Lt. J. G. Neill—Lieut S. G. C. Reynaud—Lieut H. G. Napleton—Captain H. Fuller—Asst Surgeon G. W. Scheniman—Major R. C. Campbell (prep)—Lieut C. Clayhill (prep)—Lieut D. H. Considine—Lieut G. Hamond—A. M. Owen, Esq., C. S. (to sea)—Lieut S. Best—Lt. J. G. Johnston—Asst Surgeon J. Shaw (to sea)—Ensign F. W. Baynes (to sea)—Surgeon J. Underwood to the Cape.

#### GENERAL ORDERS.

Head Quarters, 24th September 1836.  
—The proceedings of a board of officers, of which Colonel Sewell was president, recently assembled at the presidency, for the purpose of investigating and submitting an opinion upon certain matters in dispute between Captains Whistler and Osborne of the 19th regiment of native infantry, having been before the commander-in-chief, his excellency has much satisfaction in making known the result for the information of the army.—From the investigation in question, it would appear—1. That certain representations, involving Captain Whistler's public probity and private honesty, were made to



Captain Osborne, by an individual since dead.—2. That these representations, which have been proved to the satisfaction of the court and the commander-in-chief to be altogether false and groundless; prove that Captain Whistler's character, public and private, remains untarnished and free from taint or suspicion.—3. That the representations, made by an artful and designing native ~~for~~ <sup>for</sup> his own purposes, were nevertheless such as Captain Osborne, being aware of their nature and tendency, could not have concealed, or withheld, with any regard to the credit of the service, or the honor of the corps; and that, consequently, there are not any grounds for the charges preferred by Captain Whistler against that officer.—It is but seldom that, from an ordeal of this description, both parties escape uninjured; but, on the present occasion, his excellency, entirely concurring with the opinion of the board, considers that blame, or reproach, cannot reasonably be attached to either officer; and trusts that they will avail themselves of the opportunity of returning to those habits of cordiality and confidence which should belong to officers of the same corps.—This matter, having thus been fully investigated and finally disposed of, is not to be reagitated on any pretence whatsoever.

Fort St. George, 11th October 1836.—No. 216 of 1836.—The following extracts from letters from the honorable court of directors in the military department, dated the 4th and 11th May 1836, Nos. 32 and 33, are published for the information of the army.—Letter dated 4th May 1836, No. 32.—3. "We desire that the allowance heretofore granted to individuals who have been dismissed from the service or have resigned as the alternative to taking their trial by Court martial; be continued upon the same conditions, viz. that they place themselves without delay under the orders of the town major for the purpose of being provided with a passage to England.—4. To individuals so circumstanced who do not intend to quit the country, you will grant no allowance whatever.—51. This being the third furlough on sick certificate which Captain McKenzie has obtained under the regulations of the service, and the commander-in-chief having reported that the "unhappy state of Captain McKenzie's health renders any hope of his recovery improbable," we shall place him upon the retired list upon the expiration of twelve months from the date of his landing in the united kingdom."—Letter

dated 11th May 1836, No. 33.—Para. 1. "In our letter in this department dated 30th March last, we have directed the immediate distribution of the Coorg Booty.—2. At the expiration of four months from the date of the commencement of the distribution you will cause a return to be made of the European officers and men who are entitled to share in it, and who from having died or left India before the distribution commenced, have not received their shares. The return will distinguish those belonging to his majesty's regiments from those belonging to the company's army, and will specify the sum due to each in the currency in which the general distribution has been made.—3. When this return shall have been prepared and transmitted, no payments must be made in India on account of the shares specified in it.—4. You will likewise transmit to us a complete copy of the rolls for the European part of the force, shewing how the different shares have been paid."

MADRAS.—July 23, at Chittoor, G. M. Ogilvie, Esq, C S, to Emma, 3d daughter of Colonel Molesworth, Madras Army—26, Major A Crawford, Art, to Mary, only daughter of the late Rev. Mr Gordon of Vizagapatnam—30, Lieut W. H. Whapshare 10th N I, to Emma, daughter of the late Rev W. Chester—Mr C. M. Pereira to Miss Helen D' Jong, daughter of the late Mr J. D' Jong—Aug. 17, Lieut-colonel T. H. S. Conway, C B, 6th L C, to Georgiana, daughter of G. Lys, Esq.—Sept. 1, Lieut H. W. Wood, 4th N I, to Maria, eldest daughter of A. Conwell, Esq, of Ireland—Lieut W. H. Grubb Madras Art, to Eliza youngest daughter of A Conwell, Esq, of Ireland—4, Captain H. Prior 23d Madras L I, to Miss E. L. Mortlock, eldest daughter of Sir H. Mortlock, Bucks, Europe—14, at Ootacamund, Mr H. S. Atkinson to Mary 2d daughter of the late J Gardner, Esq, of Paulghautcherry—20, Sub-conductor J. Carr Ordnance Depart., to Miss F. J. Rede—26, Mr. F. Rencontre to Miss A. Branie.—C. J. Smith, Esq, Asst Surg., to Margaret, 3d daughter of the late J. Macdonald, Esq, of Ross Castle—D. Tait, Esq, Asst Surgeon 8th L C, to Catherine, eldest daughter of the late J. Christie, Esq, Surgeon, Hordley, N. B.—27, at Bangalore, E. J. Everett, Esq, Asst Surgeon 12th N I, to Eliza, only daughter of R. Burns, Esq, Dumfries—28, Mr. T. Turner to Miss A Graham.—Oct. 1, Lieut W. A. Habited 11th N I, to Georgiana, daughter of J. Honey, Esq, Caledon, Cape of Good Hope—J. W.



Partridge, Esq. to Miss G. Pinson, daughter of the late A. Pinson, Esq. of Devonshire—14, Mr E. Maraden Supert. Male Asylum Press, to Miss J. Grant.

**MARRIAGES.**—July 17, at Secunderabad, the lady of Captain Clarke, H. M's. 45th regt. of a son—at Arcot, the wife of Mr. T. Potter, of a daughter—18, at Secunderabad, the wife of Drum Major J. Keating 37th regt N. I., of a daughter—19, at Jaulnah, the lady of Lieut H. B. Blogg, 7th L. C. of a daughter—23, at Secunderabad, the lady of Captain H. Coningham, 4th L. C. of a son—28, at Bangalore, the wife of Mr. J. Gregory, Jeweller, of a daughter—at Kamptee, the lady of Dr. Colquhoun, 1st L. C. of a son—31, at Cuddalore, the lady of Captain R. J. Nixon, 25th N. I. of a son—August 1, the lady of the honorable J. Sullivan, Esq. of a daughter—2, at Ramiapatam, the lady of C. R. Baynes, Esq., of a son—4, the lady of Lieut H. T. Crompton, 63rd regt. N. I. of a still born child—at Bolaram, the lady of Maj. E. Armstrong, H. M's. 45th foot, of a son—at Kamptee, the lady of F. Godfrey, Esq., medical establishment, of a son—7, at Kankur, the lady of Lieut R. McDowell, of a son still born—0, at Kotagerry, the lady of G. D. Drury, Esq., of a son—14, at Cuddapah, the lady of E. B. Glass, Esq. C. S. of a daughter—at Masulipatam, the lady of Lieut F. L. Nicolay, 29th regt N. I. of a daughter—16, at Cuddapah, the lady of F. Copleston, Esq., C. S. of a daughter—17, at Bellary, the lady of Lieut and Quartm. E. I. Hall, 3rd C. of a son—18, at Kamptee, the wife of Quartm. Serg C. Magrath, 4th regt N. I. of a son—20, at Bangalore, the lady of Lieut E. Brice H. Brigade Artillery, of a daughter—22, at Talapodstour, the lady of Captain W. Craigie, 28th regt. N. I. of a daughter—at Ootacamund, the lady of Lt W. Pitcairn Art. of a son—at Kamptee, the wife of asst apothecary J. P. K. Burgess, Madras Eur. regt of a daughter—23, at Bangalore the lady of Lieut H. Vanderveer, 27th regt N. I. of a daughter—24, at Bangalore, the lady of Captain J. Wynch, H. Artillery, of a daughter—the wife of Mr. C. Shortt, of a son—26, at Secunderabad the lady of Lieut R. Cotton, 37th regt. N. I. of a daughter—at Palamcottah, the lady of Captain Faber, Engr. of a son—29, at Kotagerry, the lady of M. D. Cockburn, Esq., of a son—22, Mrs. T. McPherson, of a daughter—at Bangalore Mrs. Longden, of a daughter—30, at Ootacamund, the wife of the Rev. B. Schmidt, of a daughter—31, at Benares, the lady of Capt. Carpenter, 48th regt N.

I. of a daughter—September 4, at Kamptee, the lady of Lieut Cherry, 1st L. C. of a son—8, the lady of Captain Carew, of a son—10, at Jaulnah, the lady of Captain P. Thomson, 39th N. I., of a daughter—11, Mrs. W. Kouwan, of a daughter—12, Mrs. W. Ray, of a son—16, Mrs. J. M. Vexon, of a daughter—17, wife of Mr. J. H. Millett, of a daughter—at Jaulnah, the lady of Lieut Wilkinson, 39th N. I. of a son—Salem, the lady of asst. surg. Graham, of a daughter—26, the wife of asst surg S. Rogers, of a daughter (since dead)—the wife of Mr. C. F. Moss, of a son—27, at Cannanore, the lady of Lieut W. B. Stevens, Art of a daughter (still born)—29, at Ootacamund, the lady of C. Roberts, Esq. C. S. of a daughter—October 3d at Arcot, the lady of C. H. Hallett, Esq., of a son—at Cuddalore, the lady of Surg. J. B. Preston, of a daughter—5, at Waltair, the lady of Capt. G. Wright, 10th regt., of a son—9, the lady of J. Minekin, Esq. of a son.

**DEATHS.**—March 21, at sea, the lady of Major General Hawker—Aug. 16, at Kamptee, William, the infant son of Capt J. M. Boyes, 38th regt N. I.—On her voyage to England Mrs. McKenzie, the lady of Lieut Colin McKenzie, 48th regt N. I.—19, William, infant son of Mr. J. Vanderputt—27, George, infant son of Lieut Colonel Cadell—at Secunderabad, Henry, infant son of Asst Surgeon J. Lawrance—28, at Kamptee, Catherine, daughter of Sergeant J. Gaven—Emily, infant daughter of Lieut Colonel Cleveland, 38th regt. N. I.—31, at Ootacamund, William, infant son of Lt W. Pitcairn—September: 1, Mr. W. Egan, Master Attend., of Cochín—9, at Secunderabad, Mary, wife of Sergeant Major W. Smith—10, at Berhampore, near Ganjam, Mary wife of Sergeant Major J. Hussey—11, at Ingeram, Richard Keating, Esq. of Bimlipatam, aged 71 years—18, at Kamptee, Lieut C. Foote, 42d N. I.—19, at Koladab, Apoth. C. Vanderwall—22, Harriet infant daughter of Mr. P. Carstairs—23, Lieut T. M. Christie, 18th N. I.—25, at Latairy, Rosina, eldest daughter of Asst Surgeon W. H. Wormsley—October 2, at Ootacamund, Lieut W. Garrard, engineers—at Secunderabad, Capt. J. Deane, 30th regt N. I.—3, Surgeon W. Faaken, M. D.—4, at Royapooram, Anne, wife of Mr. T. Jones—9, Apothecary M. McFarlane—10, at Berhampore, Lt-col. William, Baron De Kutzleben, 18th regt. N. I.—11, Joanna, infant daughter of J. G. Vanspell, Esq.—15, at Egmore, Eliza, infant daughter of Mr. W. Faulkner.



**Bombay.**

**Efficient Interposition.**—There is not any calamity more fatal to the happiness of an Hindostanee, than the loss of caste, or expulsion from the sect to which he may belong. The wife of a native merchant of immense wealth, having about twelve months ago, lost a fine head of hair, the loss of caste was about to follow, when her friends interposed, and by the influence of money, procured a stipulated time for re-production of the lady's tresses, should such be the pleasure of the Indian deities. Efficient means, however, and not idol-worship, was happily resorted to, and the consequence was a full and improved renovation of silken tresses, the fair devotee being now confirmed in her caste and reinstated in her beauty by Rowland's Macassar Oil.

**CIVIL APPOINTMENTS.**—June 3, 1836, Mr G. Grant assumed charge of his duties as deputy Civil Auditor and deputy Mint Master on 31st May—Mr E. H. Townsend Acting Secy. to Govt in Territorial Department to be Secy. in attendance on the Governor—Mr W. H. Wathen Chief Secy to Govt. to conduct Mr Townsend's duties in Financial Department—Mr J. P. Willoughby Secy to Govt in Secret, Political, and Judicial Departments, to conduct Mr Townsend's duties in Revenue Department—11, Mr J. Pyne has returned to his duties—14, Mr J. P. Larkins to be Chief Clerk and Sealer of Court for relief of insolvent debtors in room of Mr D. B. Smith resigned—Mr C. A. West to be Attorney for paupers to Supreme Court in room of Mr D. B. Smith resigned—18, Mr E. G. Fawcett received charge of Belgaum Collectorate on 9th June—20, Mr H. H. Glass Collector of Ratnagerry, resumed charge of that Collectorate on 7th June—Mr J. G. Lumsden took charge of the office of Asst Judge and session Judge for detached station of Broach on 14th June—21, Mr E. H. Briggs to be 2d Asst to Collector of Kaira—22, Mr A. Campbell to be 3d Asst to ditto of Belgaum—Mr R. V. Bassett to be an Asst to Collector of Tannah—23, Mr J. H. Jackson Acting Collector of Ahmednuggur, received charge of that Collectorate on 1st June—Mr H. Helbert deputy Secy to Govt in Persian Dep. to be act. Asst Judge and sess. Judge of Surat—Mr A. Hornby received charge of Adawlut at detached station of Dhoolie on 25th June—July 3, Mr S. Mansfield Asst to the principal Collector of Dharwar, to have charge of districts Ranee, Bednore, and Khole during Mr Campbell's absence on sick certificate—Mr

H. P. Malet. Acting 2d Asst to the principal Collector of Poona, to take charge of districts lately under the management of Mr O. Malcolm—6, Mr W. Eacombe to act as 1st Asst to the Collector of Belgaum—Mr A. Pettington to be an Asst to ditto—Mr P. Dalzell to act as uncommissioned Asst to the Collector of Customs at the Presidency during Mr Barra's absence—Mr W. C. Bruce has delivered over charge of his office as Collector of Customs to the deputy Collector—9, Mr Ravenscroft 1st Asst to the Collector of Dharwar is placed in charge of the districts of Mirrekhota, Hingul, and Bunkapoor on permanent deputation—Mr Blane 2d Asst to ditto is placed in charge of the districts of Dammul and Nowgood on permanent deputation—Mr W. Eacombe, Act. 1st Asst to the Collector of Belgaum, will continue to be employed in the districts on special duty to which he was appointed on the 15th Dec. 1835—Mr W. Kennedy to be junior Native Commissioner of Kamulla in the Zillah of Ahmednuggur—13, Mr H. Mansfield to be 3d Asst to the principal Collector of Poona, to be placed under Mr Goldsmith, in the Talooks of Indapoor, Mohole, and Marha—Mr G. L. Blane 2d Asst to Acting principal Collector of Dharwar, to be placed in charge of the Pergunnahs of Ranee, Bednore, and Khole—Mr J. H. Pelly junior Asst to the Acting principal Collector of Dharwar to be placed in charge of the Pergunnahs Dammul and Nowgood—Aug. 3, The appointment of Lieut J. R. Lumley 9th regt N I, as Asst Magistrate in districts of Ahmednuggur, Poona, &c. cancelled—5, Mr E. C. Jones Asst to the Collector of Ahmednuggur to be placed in charge of Talooks of Koorla and Karmulla—Mr A. W. Jones Asst to Collector of Tannah to be placed in permanent charge of the Basatin and Shujan Talooks—21, Mr H. P. Malet Actg. 2d Asst to the principal Collector of Poona, to be placed, permanently, in charge of the Pergunnah of Barsoj, and to take charge also of the districts lately under Mr Malcolm—Oct 6, Mr K. Kichland Acting Sub-Collector of Broach to proceed into the districts on deputation on the opening of the season—7, Mr W. C. Bruce and Mr T. W. Henderson to be members of the Committee of Management of Salt Stacking Bank—13, Mr R. F. Webb to be a deputy Civil Auditor and deputy Mint Master during the absence of Mr G. Grant on leave—15, Mr W. H. Wathen to have charge of the Political, Secret, Judicial, and Revenue Departments during the absence of Mr



Willoughby on special service—Mr W. Hart, Asst to Acting Sub-collector of Broach to examine the Talattee Accts, &c. of villages in Territorial Department.—Mr R. D. Luard Acting Sub-collector of Sholapur. to proceed on deputation into his districts from 1st Oct.—Mr. R. Kenya, Asst to the principal Collector of Surat, to be placed under orders of Sub-collector of Broach, and in charge of the Pergunnahs of Jumboosier and Ahmode.

**MILITARY APPOINTMENTS, PROMOTIONS, CHANGES, &c., from June 11th to 22d Oct.**—The under-mentioned admitted on this Estab. as Cadets, and to be Ensigns, leaving the dates of their commissions unsettled:—Infantry—Mr T. D. Compton—Mr C. Williams—The appointment held by Surgeon Glen on the Neelgherry Hills, to be abolished, and that Officer to be at disposal of Commander-in-chief as soon as relieved from his present duties by med. Officers of Madras Estab.—The Ahmedabad Order directing Captain Clark to assume command of that station during absence of Lieut-colonel Morgan on sick cert. is confirmed.—The following temporary arrangements confirmed:—Lieut F. Mayor 6th regt N I, to take charge Engineer's Department, at Surat, during absence of Lieut Hebbert on medical certificate to Bombay—Ensign H. Boye 2d regt. N I, to act as Adjt during absence of Ensign Leckie on leave to Bombay—Brevet Captain R. J. Littlewood 9th regt N I, to act as Adjt from 16th May 1836, on departure of Lieut and Adjt Purves on sick certificate to Doon—Lieut E. W. Agar 8d regt N I, to act as Quartermaster to the regt from 16th Feb. to 31st May 1836—Asst Surgeon F. Forbes doing duty in the J. N., placed at disposal of Commander-in-chief.—The following temp. arrangements confirmed—Brevet Captain A. R. Wilson, Major of Brigade to act as sub-Asst Com. Genl. at Deesa from 24th May 1836, on departure of Lieut Skinner from that station.—The under-mentioned Cadets of the season 1836 to be Captains (Brevet)—Lieut J. Davies 11th regt N I—G. Le G. Jacob 2d or Gr. regt N I; date 6th June 1836—Lieut J. H. Stamford regt. of Art.—J. Grant, ditto—W. F. Whittle ditto—W. M. Webb ditto—F. A. Parquharson ditto—C. Blood ditto; date 9th June 1836.—The under-mentioned admitted to the service, as Cadets of Infantry, and as Asst Surgeon on this Establishment:—The Cadets are prom. to Ensigns, leaving dates for future adjustment.—Messrs J. L. P. Hoare—

G. A. Leckie—S. J. K. Whitehall—J. T. Barr—H. A. Adams—E. B. Eastwick—H. Lodwick—R. Richards—Medical Establishment, Mr D. Fraser—Colonel H. S. Osborne to the General Staff; in succession to Colonel W. Gilbert.—The following temp. arrangements are confirmed:—Lieut and Quarterm W. Vardon 1st regt L C, to act as Adjt to that regt during absence of Lieut Owen, on leave to Goga—Brevet Captain R. Crozier 26th regt N I, to act as Brigade Major in Candeish during absence of Captain Forbes on duty at Poona.—The undermentioned admitted as Cadets of Cavalry and Infantry, and as Asst Surg., the Cadet of Cav. to be Cornet, and those for Inf. to Ensigns; dates unadjusted:—Cavalry.—Mr W. Wemyss—Infantry.—Mr E. Lockley, W. G. Arrow, C. W. R. Hervey, Medical Estab, Mr W. Arbuckle—Asst Surgeon A. Weatherhead is relieved from duty in J. N., and placed at disposal of Commander-in-chief.—Lieut J. C. Supple 13th N I, to be staff officer to detachment at Balmeor in succession to Ravenscroft resigned—Ens. E. Wood 12th regt N I, to act as Quartermaster to that regt during absence of Lt. Holmes on sick cert.—Captain W. Ogilvie 26th regt N I, to be Judge Advocate General of the Army vice Major Miller *dec*; date 14th May 1837—23d regt N I, Ensign J. G. Forbes to be Quarterm. and Interp. in Hindustanee, vice Liddell resigned; 20th June 1836—6th regt N I, Captain F. T. Farrell to be Major—Brevet Capt. D. Carstairs to be Captain and Ensign E. C. Burt *dec* to be Lieut in succession to Aitchison retired; date 10th Oct. 1833—Ensign J. Tait to be Lieut vice Mant *dec*, 20th July 1834—Captain J. W. Watson to be Commr. of stores at Poona, in succession to Major F. P. Lester who vacates on promotion—Capt D. Forbes 2d or Gren. regt N I, to the Superint. charge of Guicowar contingent Horse in Kattywar, from 1st June—1st regt L. C, Lieutenant C. L. J. Dupre, having resigned on the 28th July 1834, prior to his promotion on the 5th Dec 1834, his commission of Lieut to be cancelled, and Cornet W. F. Curtis to be Lieut vice Poole promoted, date of rank, 5th Dec. 1834—Lieut A. J. Jukes 17th regt N. I to act as commissariat agent at Hursole, during absence on leave of Lieut Christie, and his responsibility—Lieut W. J. B. Knipe, 17th regt N. I., to conduct the duties, until such time as Lieut Jukes can be relieved from out post duty—Captain A. N. Cornelia, 18th regt N. I to be paymaster of the Poona division of the army, in succession to Capt Ogilvie—



Captain R. Bulkley, 20th regt N. I. to officiate as paymaster of that division, from the 1st July pending the arrival of Captain Cornelia at Poona—the station order of 1st April, 1836, appointing Major P. P. Wilson, 2d regt L. C. to temp. command at Sholapore confirmed, Lieut J. Ramsay, 9th regt N. I., to act as Sub. Asst. Commissary in charge of Bazars at Deesa, during absence of the officer permanently appointed to that situation—the detachment order of the officer commanding the 2d div., H. M.'s 17th regt. appointing Lieut Miller to act as Adj. during its separation from head quarters is confirmed.—The under-mentioned admitted to the service as Cadets of Engrs. and Infantry on this Estab.:—The Cadet for the Engrs. is promoted to 2d Lieut and those for the Inf. to Ensigns, leaving the dates of commissions for future adjustment—Eng. Mr J. H. Burke, Infantry—Messrs A. J. Aleck, C. Ponsonby—2d or Grenadier regt N I, Lieut G. L. Jacob to be Interpreter in the Mahrattah Language; date 20th June 1836—Left Wing of the Eur. regt—Lt. R. St. John to be Captain, and Ensign F. Jackson to be Lieut, in succession to Hockin transferred to the Invalid Estab., date of rank 5th July 1836—The district order for Captain G. Smith 26th N I. as next senior officer to take charge of Brig. at Malligum, during absence of Brigadier J. Kinnernley at Poona, confirmed—The under-mentioned admitted to the service on this Estab. as Cadets of Inf., and as Asst Surgeon; the former, prom. to Ensigns, the latter to be an Asst Surg. date of commission unsettled—Infantry, —Messrs C. P. Rigby and T. A. Cowper—Med. Estab.—Mr J. Hamilton, M D—Surgeon Glen to continue to do duty as medical officer on the Nellgherries; till further orders—22d N I, Captain W. Dunbabin to be Major, Lieut S. W. Hart to be Captain, and Ensign H. Boye to be Lieut, in succession to Clark retired, date of rank 22d July 1836—Capt J. Forbes, Brig. Major in Candahar, to assume command of the Malligum Brigade from Captain Smith, from 16th Aug.—Brevet Captain T. H. Otley 26th regt N I. to act as Interp. to 21st N I, till further orders—Lieut A. J. Jukes 17th N I, to act as Adj. to detachment in the Myhee Caunta (consisting of 350 rank and file) vice Ensign Evans to Baroda, from 9th June 1836—Capt H James 18th N I, to be Commissariat Agent at Kulludghoe, vice Captain H. Cornelia—The station order by Brig. General Satter, commanding North Div. Army, directing Captain W.

H. Waterfield 14th N I, to assume command at Ahmedabad; vice the Brigadier General departed from station, is confirmed—Lieut E. H. Hart 19th regt N I, to act as Interp. to H. M.'s 17th regt is confirmed—Mr E. C. Campbell is admitted to the service as a Cadet of Cav. on this Estab. from the 29th ult., the date of his arrival at the Pres. from St. Helena, and promoted to Cornet, leaving the date of his commission for future adjustment—The under-mentioned admitted to the service as Cadets of Infantry on this Estab., and promoted to Ensigns, leaving dates of commissions for future adjustment:—Inf.—Messrs J. A Evans, R. Fitzgerald, A. S. Young, E. T. Pascocke, W. Falconer, and J. S. Cahill; date 5th Aug. 1836—The following temporary appointment is confirmed—Lieut D. Davidson 18th regt N I. to act as Commissariat Agent at Kulludghoe, from 25th ultimo, until relieved by Capt. James.—The following promotions are made—Infantry—Senior Major H. Sutherland to be Lieut-colonel vice Gurnaway *fec.*; date of rank 30th May 1836—18th regt N I, Captain H. G. Roberts to be Major, Lieut C. W. Wenn to be Captain, and Ensign H. W. Diggle to be Lieut in succession to Sutherland promoted—Lieut A. Welstead 21st N I, to act as Quarterm. and Paymaster to that regt, during absence of Lt. Stevens, on leave—22d N I, Lieut H. Boye to be Quarterm. and Interp. vice Hart prom., date of appointment 22d July 1836—Lt H. W. Brett 1st troop H. Art. to assume charge of Ordnance Store Depart. at Sholapore, during the absence of Captain Blood on leave—Lieut H. Stockley, sub-Asst Comm. General at Belgaum, to act as deputy Asst Comm. General at that station, during the absence of Lieutenant Hartley on leave—Lieut J. Tait 6th N I, to act as Fort Assistant at Surat, on the responsibility of Captain Hughes, during absence on med. certificate, or till further orders—Captain W. Macan to act as Interp., and Lieut F. Mayor as Quarterm. to 6th regt N I. during absence of Ensign Milne on leave—Ensign G. B. Mayhew 24th N I, to act as Quarterm. and Paym. to that regt, during absence of Lieut. A. Shepherd or till further orders—Lieut C. G. Calland 14th regt N I, to act as Adj. to detachment in Myhee Caunta, during absence of Lieut Jukes, on med. certificate—Lieut W. H. Godfrey 7th N I, to act as Quarterm. till further orders—Lieut T. D. Fallon 7th N I, to assume charge of the General Prov. bat. during absence, or till certificate, of the



commanding officer and Adj. of that batt—5th regt N I, Ensign G. Cruickshank to be Lieut, vice Edwards transferred to Invalid Estab; date of rank 5th Oct. 1836.

**REMOVALS AND POSTINGS.**—Ensign W. B. Ponsonby R. W. Eur regt to 32d regt N. I., as 4th Ensign, to rank next below Ensign A. G. Shaw of that regt—Ensign W. R. Simpson, L. W. Eur. regt to 17th regt N I, as 2d Ensign, ranking next below 1st Ensign C. Burnes of that regt—Ensign L. Scott 26th regt N I, to 17th N I, as 3d Ensign, to rank next below Ensign W. R. Simpson of that regt—Ensign H. B. Rose 19th N I, to R. W. Eur. regt, as 2d Ensign, to rank next below Ensign B. J. Shaw—Brig. Genl. Salter, N. Div. of the Army to S. Div.—Brigadier Willis will assume charge of N. Div., till arrival of Colonel Osborne or till further orders—Ensign H. J. Pelly 16th regt N I, to 8th regt N I, as 4th Ensign, ranking next below Ensign C. Grey.

**RETIRED FROM THE SERVICE.**—Lieut Chas. J. Dupre from 25th July 1834—Commander J. W. Guy J. N.—Major J. W. Aitchison from 10th Oct, 1835—Major J. Clark 22d N. I. date 23d July.

**INVALIDED.**—Lieut C. Parbury, J. N., Lieut W. Edwards.

**RETURNED TO DUTY:**—Captain J. T. Leslie—Lieut W. Edwards 5th regt N I—Ensign S. Sproule, 7th regt N I—W. Denman 5th regt N I.—Surgeons A. Mackell—J. A. Sinclair—Troop Quartermaster G. Tims H. Brigade—Lt. C. Birdwood—Mr B. T. Webb C S Capt J. H. M. Martin—Captain H. Liddell 11th regt N I—Captain W. N. T. Smees, 5th regt N I—Asst Surgeon A. M. Lyon Medical Establishment—Lieut G. Pope.

**MR. MACKINTOSH'S REGIMENT.**—The order of 18th June by the Officer commanding H. M.'s 2d Regt of foot appointing Lieut Simmons to act as Adj. to R. W. of that corps on its march from Poona to Bombay is confirmed—Captain Ord resumed charge of Pay Department north division of the Army from Lieut T. D. Fallon on 7th June.

**NAVY APPOINTMENTS.**—The following temporary arrangements confirmed—Mr Midshipman Scott to the *Thetis* from 3d Jan. to 9th April, and to the *Pownah* from 18th April to 14th May—Mr Midshipman Nisbett to charge of *Monbas Buggalo*, at *Bassadore* 7th Nov. to 29th Jan—Lieut T. E. Rogers to be an acting Commander—Mr T. Beahan late a Master J. N. having exceeded the prescribed period of five years

absence from India is struck off the list of J. N. officers from 1st Aug. 1833—Asst Surgeon F. Forbes doing duty in J. N. placed at the disposal of the Commander-in-chief—Mr Midshipman C. D. Campbell to be Lieut, vice Clerk *dec.*, date 6th April 1836—Mr Midshipman E. W. Daniel to be Lieut, vice Parbury invalided, 4th June 1836—Asst Surgeon W. R. Williams placed at the disposal of Supert. J. N. for duty—Mr Daniel to take charge of the *Nerbudda* from April 4th to 18th ditto, and the *Margaret* from 1st April to 15th June 1836—Lieut J. P. Saunders to be Asst Surveyor, vice Lieut J. A. Welsted to Europe, date 1st June 1836—Lieut Williams to act temp. as Asst to Supert. J. N. during Lieut Whitelocke's indisposition—Mr Midshipman Fell to the charge of H. Co.'s cutter *Nerbudda*, from 26th May to 16th June—The arrangement by which Mr Midshipman Lang was to do special duty entitling him to full batta from 16th May to 18th June last confirmed—Oct. 8 Mr. T. Todd permitted to resign his appointment as Purser in the Indian Navy—Mr T. Scott to be Acting Conductor of Deck Yards whilst Mr Stewart may be Acting 2d Asst to the Controller—11 Mr Midshipman Dent to be an Acting Lieutenant.

**ALTERATIONS OF RANK.**—Lieut W. G. McHaffie to take rank vice Burt *dec.* 29th June 1834.

**FURLONGHS.**—Captain T. Graham—Lieut J. R. Wellsted J. N.—Lieut C. Parbury J. N. retired—Captain H. Macan 17th N. I.—Ensign W. H. B. Watkins 4th N. I.—Ensign C. Mellersh 5th N. I.—Colonel Ballantine 18th regt N I.—Captain J. D. Smythe—Lieut W. Hodgson—Lieut-colonel R. Sutherland—Lieut-colonel R. Campbell, Ensign R. H. Mackintosh—Captain R. M. Hughes—Lieut-colonel C. Payne—Lieut W. G. McHaffie—Lieut H. L. Brabazon.

#### GENERAL ORDERS

**Court-Martial on Lt.-Col. and Brevet Col. Vans Kennedy.**—Head Quarters, Poona, 30th July, 1836—At a General Court Martial assembled at Poona, on Monday the 4th July, 1836, and of which Brigadier General J. Salter 5th regt N I. is President, Lieut-colonel and Brevet Colonel Vans Kennedy, 28th regt N I, was tried on the following charges, viz. —Lieut-colonel and Brevet-colonel Vans Kennedy 26th regt N I, placed in arrest by order of Brigadier J. Kinnersley, Commanding in Candesh, on the following charges, viz.—1st. For repeated disobedience of the lawful commands of his superior officer Brigadier Kinnersley,



commanding in Candeleish, such commands having been conveyed to him at Malligaum, on or about the 23d and 25th May 1836, in two official letters, under the signature of the district Major of Brigade, and dated at Malligaum on those two days respectively, whereby he was directed to attend all parades of the regt then under his command, and he the said Colonel Vane Kennedy, having in two letters addressed to the said Major of Brigade, respectively dated on the 23d and 25th of May 1836, declined complying with such commands till a reference could be made to the General officer commanding the division—2nd. For having in the before-mentioned letter of the 25th May 1836, addressed to the district Major of Brigade, reflected on the conduct of Brigadier Kinnersley in issuing the order before mentioned in the following words,—“On the delicacy, however, of addressing such a letter as that of yours of the 23d instant, to an officer of my rank and standing, and who has actually served longer in this country than the Brigadier himself, it is not for me to remark nor with respect to whether under the circumstances stated in my letter to your address of the 23d instant, which were well known to the Brigadier, the instructions contained in your letter of the same date were dictated by a regard for the good of the public service, and uninfluenced by personal consideration.”—Such conduct as above set forth, being unofficer-like, setting a pernicious example, being subversive of military discipline, and in breach of the Articles of War.—Adjutant General’s Office, Poona, 26th June, 1836—By Order of his Excellency the Commander-in-chief. (Signed) STRATFORD POWELL, Lt. Colonel, Adjt-General of the Army.—Upon which charges the Court came to the following decision—Finding and sentence.—The Court having maturely weighed and considered all that has been adduced in support of the prosecution together with what the prisoner Lieutenant and Brevet-colonel Vane Kennedy 26th regt N.I., has brought forward on his defence is of opinion as follows.—That he is not guilty of the first part of the first charge, but that he the said Col. Vane Kennedy is guilty of the latter part of it, in having in two letters addressed to the Major of Brigade, and respectively dated on the 23d and 25th May 1836, declined complying with the commands of his superior officer till a reference could be made to the general officer commanding the division.—That he is guilty of the second charge, such con-

duct being unofficer like, setting a pernicious example, being subversive of military discipline, and in breach of the Articles of War.—The Court having found the prisoner guilty as above specified, do adjudge him to be severely reprimanded, in such manner as his excellency the commander-in-chief may be pleased to direct.—(Signed) J. Salter, Brigadier General and President. (Signed) W. Ogilvie, Captain Judge Advocate Genl. confirmed, JOHN KEANE, Lieut. Genl. Commander-in-chief.—Remarks by the Commander-in-chief.—This case, divested of the extraordinary mass of irrelevant matter which the court has entered on its proceedings, rests upon simple grounds.—Colonel Kennedy assumed the charge of the 26th N. I on the 15th December 1835, and from that period, until the 23d May last, being upwards of six months, neither once appeared upon the parade ground of the regt., nor took the command of it in the field.—Colonel Kennedy, some months after he was in command did not hesitate to state in an official letter to the Commander-in-chief, and Government, that he had never attended a parade of the regt., and when Brigadier Kinnersley, commanding at Malligaum, was called upon in May last, by his superiors in authority, to report whether the state of the case was attended, he issued a station order, directing officers commanding regiments to attend the parades of their corps.—No notice was taken of that order by Colonel Kennedy, nor did he obey it.—Brigadier Kinnersley, then directed the Brigade Major of the station to repeat the order in an official letter to Colonel Kennedy, who instead of complying, remonstrated against the order in his letter of the 23d May.—On the 25th May a second letter was written by the Brigade Major, reiterating the Brigadier’s orders that Colonel Kennedy should attend the parades of the regt. placed in his charge. To his letter Col. Kennedy replied on the same day (after two days consideration of the point), that he declined obedience to the order until it should first be submitted to the general officer commanding the division at Poona, and his pleasure should be known; and moreover, that he did not consider it was competent to the Brigadier to give such an order, upon which act of deliberate disobedience, Brigadier Kinnersley very properly placed Colonel Kennedy in arrest.—It is on charges arising out of these transactions that Colonel Vane Kennedy has been tried; and it now falls to the Commander-in-chief, to deliver an



unreserved opinion on the manner in which the court has fulfilled its duty.—

1. His excellency is constrained to notice with extreme disapprobation, the finding of the court on the first charge; of that finding, the effect is to declare, that an officer under command, who declines to comply with a positive order emanating from his lawful superior, until a reference which he (the inferior officer) judges to be necessary, shall have been made to still higher authority, is not thereby guilty of disobedience, within the meaning of the Mutiny Act, and Articles of War.—2. If this doctrine be correct, it must obviously extend beyond the particular case to which it is applied. If the reference insisted on by Colonel Vans Kennedy had taken place, and if the officer referred to, had given a decision which he, Colonel Kennedy, deemed unjust, it is evident that, he might, on the same principle, have demanded a stay of proceedings till an appeal could be referred to authority still higher; a mis-decision even from that higher quarter, would have created a right of yet ulterior reference, and the process might thus have continued, through a succession of references, until all the ascending gradations of military rank were exhausted.—3. But this is not all:—The Mutiny Act has but one rule of obedience for the private soldier and for the highest officer under command. If Colonel Vans Kennedy possessed that right of reference which he claimed, the same privilege must equally belong to the youngest recruit in the army. He, like Colonel Kennedy, may decline complying with an order which, to his judgment, seems manifestly unjust, till a reference shall have been made to superior authority, and may in like manner, reiterate the application, so long as any superior authority remains unconsulted.—4. Following out this principle, therefore, into its irresistible consequences, it is a perfectly possible case, that all the most important orders of a commanding officer might be hung up for reference, that his authority might be set at naught, and his power be completely paralysed, while at the same time, the officers or soldiers, who were thus holding him at defiance, were boasting of their great experience in military law, and proclaiming themselves incapable of the crime of disobedience.—5. That a principle evidently fraught with such pernicious consequences should have been upheld by a General Court-martial, composed of officers of high rank and long experience, is to the Commander-in-

chief a source of extreme surprise and of inexpressible concern.—6. The Commander-in-chief has no hesitation in laying it down on the contrary, as a rule which is sanctioned by all standard opinions on such subjects—a rule which Courts-martial composed of officers of the highest reputation have repeatedly enforced, and which he is persuaded, will be confirmed by the authorities of every grade, under whose review the present proceedings are to pass, that "to decline complying with an order even for a moment, is to disobey it."—His Excellency knows of no middle term between obedience and disobedience. A postulated obedience—a suspended obedience—a conditional obedience, are anomalies as utterly alien to the letter and spirit of the military law, as they are foreign to the feelings of the well-trained and high-minded soldier.—7. The Commander-in-chief is willing to believe, that the majority of the court may have been misled by what they conceived to be the high authority of Colonel Kennedy on points of military jurisprudence. Could it for a moment be supposed that Colonel Kennedy really maintains the doctrines, which in his defence he propounds with such unbounded confidence, no better justification, than a reference to that defence could be required, of his removal from his late office, doctrines so utterly subversive of that discipline which is the key-stone of all military service, could never be tolerated from one who was the official Assessor of Military Tribunals, and the authorized expounder of military law. But the Court should have recollected that the legal opinion of Colonel Kennedy, whatever might be their general value, were worthless in his own case. It would have become them rather to be guided by the suggestions of the Judge Advocate General, who officiated in person at the trial, and who his Excellency cannot but suppose, acted as was his duty, by expounding to them the fallacy of the doctrines in question.—8. His Excellency wishes that his censure of the court's proceedings could stop here; but he could not protect himself from the consciousness of betraying his trust, if he did not specifically notice the grossly irrelevant matter which Colonel Kennedy was permitted to introduce into his defence. If the Court really conceived that the pile of official documents which Col. Kennedy thought proper to cite, had even the faintest bearing on the question which they had to try, it was their duty to have required that those documents



should be regularly proved and put in evidence. The truth, however, is, that they could not possibly entertain any such conception. The pretence for this flagrant deviation from the rules of all regular procedure, was too flimsy to impose on the most credulous understanding; and the time of the court was wasted, and its records loaded with extraneous matter for no reason that appears, except that the defendant thought it a convenient opportunity to enter on the whole history of his imagined grievances.—9. The Commander-in-chief cannot doubt that there were many members of the court who objected to the errors which he has noticed. The proceedings, however, and especially the decision of the majority, have imposed on him the painful duty of, offering these comments. He trusts that his remarks will not be without their effect.—He entertains the fullest conviction that the good sense and soldierly feeling of the Bombay Army, will repudiate the dangerous doctrines on which he has animadverted, and that it will ever be recollected, that one of the highest, as well as the most useful virtues which distinguishes the true soldier, is that of a prompt and unhesitating obedience to lawful authority.—10. Under all the circumstances of the case, the Commander-in-chief does not think proper to re-assemble the court; having disapproved, therefore, of the finding on the first charge, he sees fit to remit so much of the reprimand adjudged to Colonel Kennedy, as may be understood to relate to the first charge; his Excellency being indeed quite unable to discover of what offence Colonel Kennedy was guilty under that charge, if it was disobedience of orders.—11. His Excellency, however, entirely approves of the finding on the second charge; and, as far as respects this charge, he confirms the sentence of the court, adjudging a severe reprimand to Colonel Kennedy, who is hereby severely reprimanded accordingly.—Lieut.-colonel and Brevet-Colonel Vane Kennedy, is released from arrest, and directed to rejoin the 26th regt. Native Infantry at Malligam.—By order of his Excellency the Commander-in-chief, STRATFORD POWELL, Lt.-Col. Adj. Gen. of the army.

**MARRIAGES.**—May 23, at Byculla, Acting Serjt Major G. Sowersy 6th regt to Miss L. Torrey.—June 8, Asst Surgeon W. Leggett 1st troop H. A. to Susan, youngest daughter of the late J. Higgins Esq. of Ashburton, Devon.—15, at Byculla, Asst Surgeon F. W. Watkins, R.A.

to Margaret 2d daughter of the late J. Lawson, Esq. of Carrimuir N. B.—June 11, Mr T. Strangeway to Miss F. Wilkins.—Aug. 1, Robert, son of W. Crawford, Esq. to Margaret, daughter of the late Rev. J. Cruickshank, N. B. of Arbroath.—2, Captain J. M. Shortt 13th regt, to Theresa, 3d daughter of the late W. Reynolds, Esq. of Lymington, Hampshire.—Sept. 13, Mr A. Jordan to Miss Minnie, eldest daughter of the late A. Minna, Esq. of Surat.—15, E. C. Morgan, Esq. Solicitor, to Georgiana, youngest daughter of the late W. F. Venables, Esq.—20, Lieut E. A. Guerin 14th N I, to Louisa, daughter of J. Gilbert, Esq. of Lymington, Hants.

**DEATHS.**—May 28, at Surat, the wife of Asst Apothecary C. Harding of a son.—June 12, the lady of Captain W. Jacob, Art. of a son.—16, Mrs C. Daly (relict of the late Captain C. Daly) of a daughter.—18, at Poona, the lady of Captain J. W. Watson R. A. of a daughter.—28, at Raj-cote, the wife of Mr. Riding Master J. Tant 1st L C, of a son.—July 2, at Byculla, the lady of Luis Michael de Souza Esq. of a son.—3, at Girgaum, the lady of A. Thomas, Esq. 8th regt N I, of a son.—15, at Kirkee, the lady of J. H. J. Wadia Esq. H. M.'s 4th L. D. of a son.—18, at Poona, the lady of Lt.-col. Ovana of a son.—27, the wife of Mr. E. Cebra of a daughter.—30, at Tanash, the lady of J. M. Davis, Esq. C. S. of a son.—Aug. 1, at Poona, the lady of Captain R. M. M. Cooke 19th regt of a son.—4, at Girgaum, the lady of Esq. D. D. Chadwick 8th N I of a daughter.—6, at Baroda, the lady of W. Courtney, C. S. Esq. of a son.—10, at Kotagherry, the lady of G. D. Drury, Esq. of a son.—11, at Colabah, the lady of J. Harcourt, Esq. H. M.'s 2d regt of a son.—12, the wife of Mr J. Mullaly of a son.—at Dharwar, the wife of Apothecary D. Carvalho of a son.—22, at lower Colabah, Mrs R. Eckford of a son.

**DEATHS.**—Nov. 22, 1838, at sea, on board the Royal George, Quartermaster Walsh H. M.'s 40th regt.—March 27, at Mahabuleshwar Hills, George, infant son of the Rev. G. W. Bogue.—31, at the Adawliet, Eliza, wife of E. G. Esq. C. S.—April 1, at Colabah, Frederick, infant son of Esq. F. Ayson, age—9, near Buncote, Lieut J. Shanon, Esq.—May 12, Mr. W. V. Hall, Civil Architect.—29, at Jumbhedry, Marian, infant daughter of F. P. Malesherbes, Esq.—at Durrington, infant daughter of Apothecary J. D. Durrington.—June 5, at Sholapoor, Caroline, wife of Lieut W. J. Otley, 2d L. C.—11, the wife of Gertrude, infant daughter of Major Keith.—12,



Captain U. M. Duly. Commander of ship "Bannerman."—13. Maria, wife of Sub-conductor F. O. Sherren.—16. Mr T. Lamb—19, at Girgaum, Marianne, infant daughter of Mr. F. Martinand—*July* 2, at Cavel, Jona, eldest son of Mr J. J. de Souza—10, at Rajcote F. M. Dickinson, Esq. 14th regt N I—16, at Surat, Juba, the wife of W. Birdwood, Esq. C.S.—20, at Managon, Joab, eldest daughter of J. Lighton, Esq.—31, at Rajcote, Lt W. Vardon, L. C.—*Aug.* 1, at Broach, Richard, infant son of Captain O. Poole 9th N I—2, at Deesa, infant son of Conductor L. Briscoe—7, at Tannah, infant son of J. M. Davies, Esq. C. S.—9. Mrs C. J. David—15, at Poona, Eliza, eldest daughter of the late Captain W. H. B. Hirstman H. M.'s 2d regt—at Buxar, Adelaide, child of Mr J. Green—at Poenah, Mrs W. E. A. Schoeff—at Colabah Mrs C. Cross, relict of the late Mr. J. Cross—9, *Sept.* Ensign W. Denman 14th regt N. I.—12, Louisa, 2d daughter of the late J. F. Pereira, Esq.

• *Supplement to Madras News.*

**Coorg Prize Money.**—Fort St. George 19th Aug. 1836—No. 180 of 1836.—The Governor in Council is pleased to publish in G. O. the following Extracts from Despatches from the Honorable the Court of Directors, together with H. M.'s warrant for the distribution of the Coorg booty. Letter dated 30th March 1836, No. 20.—Para. "In compliance with our application, in the usual form, to the Lords' Commissioners of H. M.'s treasury, a warrant has been issued by his Majesty (of which a copy is enclosed) granting the booty, as specified therein, taken during the hostilities against the Rajah of Coorg, to the East India Company upon trust; to retain one moiety for their own use, and to distribute the other moiety amongst the captors, according to the usages of the Army in India.—2. We have now the satisfaction to convey to you our resolution to grant to the captors the moiety of the booty which his Majesty has been graciously pleased to place at our disposal.—3. You will take the necessary measures for distributing the booty immediately on your receipt of this despatch, after deducting the amount of the stamp duty and fees payable on the grant, viz. £41 4s. Payments of shares are to be made by the Officers of Government as in the case of the Kiltoor booty.—4. Interest at the rate of 5 per cent. per annum is to be allowed on the amount of the booty deposited in your treasury, from the date of the deposit to the date when the distribution shall be announced in General Or-

ders."—*Copy of the Warrant* :—"WILLIAM R—William the Fourth, by the Grace of God of the United Kingdom of Great Britain and Ireland, King. Defender of the Faith. To all to whom these Presents shall come, Greeting. Whereas the Commissioners of our Treasury have represented unto us that it had been made appear to them by a Report of our Procurator General that hostilities having been commenced against the Rajah of Coorg, in the East Indies, the fortress of that Rajah was invested and taken possession of on or about the 6th day of April in the year one thousand eight hundred and thirty-four by certain of our troops and of the troops of the East India Company and considerable booty taken therein, an account of which had been rendered to the said Company by the Agents employed for that purpose, of which the following is a statement.

From the Fort and Town of	Rs.
Muddakaree and its neighbourhood, and by the sale of various properties and effects taken therein	12,49,831
Amount of concealed treasure dug up at Ramasawmy Kenaway, estimated at	2,19,402
Amount of two bags of gold coins dug up at the same place	17,981
Amount of two bags of gold coin given up by Chm Baswapah	9,515

Rupces 14,96,735

And whereas our said Commissioners have further represented unto Us that the said Booty does of right belong to Us in virtue of our Royal Prerogative and that the said Booty should be given and granted in such manner as to Us should seem meet and just—And whereas a Memorial has been addressed to Our said Commissioners on the part and behalf of the East India Company and of the Captors praying that We would be graciously pleased to grant to the said Company all such booty and plunder, stores, provisions and things as are herebefore mentioned to have been taken during the said hostilities in Coorg Territory and also all such ordnance and Military stores as were taken possession of in the said Fort and Territories of the said Rajah of Coorg as to one half part of the value thereof for the proper use of the said Company, and as to the other half part thereof for the use of the Commander, Officers and Men belonging to the Army employed in the hostilities before-mentioned, and that we would give



such directions as to the appropriation and distribution of the said plunder and booty amongst the said Forces as to Us shall seem fit—And whereas Our said Commissioners have recommended unto Us to accede to the prayer of the said Memorial by granting the booty in question in manner hereinafter mentioned, to which We being graciously pleased to condescend, We do hereby give and grant to the E. I. Co. all such booty and plunder, stores, provisions and things as are hereinbefore-mentioned to have been taken during the said hostilities in Coorg Territory, and also all such Ordnance and Military stores as were taken possession of in the said Fort and Territories of the said Rajah of Coorg in trust as to one half part of the value thereof for the proper use of the said Company, and as to the other half part thereof in trust for the use of the Commander, Officers and Men belonging to the Army, employed in the hostilities before-mentioned, to be distributed to and amongst them according to the usage of the Army in India—And We are graciously pleased to order and direct, that in cases any doubt shall arise respecting the claims to share in the distribution of the moiety hereby granted to the Captors or respecting any demand upon the said Captured Booty, the same shall be determined by the said East India Company, or by such person or persons to whom they shall refer the same, which determination thereupon made shall with all convenient speed be notified in writing to the Commissioners of Our Treasury, and the same shall be final and conclusive to all intents and purposes, unless within three months after the receipt thereof at the office of the Commissioners of Our Treasury we shall be pleased otherwise to order, hereby reserving to ourselves to make such Order therein as to Us shall seem fit—Given at Our Court at St. James's the sixth day of June 1835 in the fifth year of our reign.—By his Majesty's command. (Signed) W. H. ORD, R. SEUART, SEYMOUR.

Letter dated 25th September, 1835. No. 66.—“We concur in opinion with the Government of India that Surgeon Underwood is not entitled to share in the Coorg Booty.”

Letter dated 30th March, 1836, No. 21.—*Rejected*—Captain Wallace 8th L. C., on the part of two Squadrons of that Corps and a Detachment of Horse Artillery under his orders.—*Admitted*—Captain R. Campbell 4th N. I.—Lieut. Colbeck 4th N. I.—Captain Wright 40th N. I., to share as Majors—Lieut-colonel

J. S. Fraser, M. Gubbon.—5. “The decisions you have passed, after reference to the Supreme Government, on claims to shares in the Booty, as specified in the above are confirmed.”

The distribution statements and prize rolls bearing the names of those entitled to share in the Coorg booty, having been transferred to the Presidency General Prize Committee, the claims of all persons entitled to share will be adjusted in the following manner:—All European officers, attorneys of European officers, and the heirs or administrators of those deceased, will submit abstracts for the shares to which they are respectively entitled, and acquittance rolls, in the annexed Forms Nos 1 and 2.—Station and Regimental Prize Committees will be assembled to investigate all claims to the above booty, and when found correct bills or abstracts for the amount, according to the annexed Form No. 1, are to be transmitted to the General Prize Committee at the Presidency, in order to be checked and passed by that Committee for payment, on the Paymaster of the Division, or range in which the claimants respectively may reside.—The Regimental Committees will be constituted of the Commanding Officer, the next in seniority with the Adjutant and the Quarter Master.—Those at stations, in such manner as the officer commanding may direct.—All persons, except European commissioned officers, present with regiments are to be paid by Committees respectively, and in acknowledgment of the receipt of their shares, they are to be required to sign Acquittance Rolls which are to be prepared in accordance with the annexed Form No. 2.—Claimants who may not now be with the regiments in which they served during the operations in Coorg, must either appear personally before the Regimental Committee, charged with the issue, or prefer their demand through a Regimental or Station Committee, as may be most convenient.—Individual Claimants who may have belonged to corps since disbanded or who may have been attached to Regiments of H. M.'s Service, which have subsequently returned to Europe, and who may not be borne on the strength of any regiment in India, will submit their claims to the nearest Station or Regimental Committee, and if ascertained to be correct, a Bill for the amount of share countersigned by the Committee, and accompanied by a separate receipt of the claimant, will be forwarded to the Prize Committee at the Presidency, to be examined and passed for payment in a



manner above detailed.—The claims of officers and men who may have belonged to His Majesty's regiments embarked for Europe, but who may now be attached to corps serving under this Presidency, will be drawn for by the Committee of the regiment to which they are at present attached, in the manner laid down in the 5th paragraph.—Applications in behalf of the heirs of officers and men who may have died, will be addressed to the Committee of the regiment to which the deceased belonged, and a consequent payment will be made on account of the estate, if the claim be satisfactorily established.—On the 31st August, 1837, the proceedings of the several Regimental and Station Committees will be closed and the Acquittance Rolls will be forwarded to the General Prize Committee at the Presidency, by whom they will be submitted to Government. At the same time, the balance of unappropriated shares of individuals of the Honorable Company's Service, will be remitted by the Regimental and Station Committees

to the General Treasury, and those referable to His Majesty's Forces will be disposed of in conformity to the War Office Regulations, with exception to unclaimed shares of Native Establishments, which will be remitted to the Treasury. In either case, the Acquittance Rolls will be furnished as above directed.—Station and Regimental Prize Committees are directed, on disbursing the amount of the several shares of the Coorg Prize Money to Claimants or their Heirs, to write across the face of each Prize Certificate "Amount of share on this Certificate paid by the (Station or Regimental) Committee at (here enter Station) on" (here enter date).—Copies of the Proceedings of the Regimental and Station Prize Committees are to be carefully preserved by General Prize Committee at the Presidency.—The General Prize Committee at the Presidency will issue such subsidary instructions to Regimental and Station Committees, as may be necessary for giving effect to the foregoing Orders.

#### COORG PRIZE MONEY SCALE OF DISTRIBUTION.

		Amount of Shares.		
		R.	A.	P.
1 Brigadier Commanding . . . . .	1-16th of the whole.	95,168	8	7
2 Colonels . . . . .	600 Shares	27,928	10	11
9 Lieutenant Colonels . . . . .	360 do,	16,757	3	4
7 Majors . . . . .	240 do,	11,157	7	7
65 Captains, Surgeons, Asst. Qr. Mr. Genl., A. A. Genl., D. A. Q. M. Genl., D. A. A. Genl., D. A. C. Genl., Paymaster, Brigade Major	120 do.	5,585	11	9
146 Lieutenants, Asst Surgeons, Ensigns, Adjutants, S. and C. General	60 do.	2,792	13	11
11 Overseers and Conductors, Apothecaries, Provost Marshal	15 do.	698	3	6
4 Subedar Majors	8 do.	372	6	1
64 Subedars, Subedars Gun Lascars, Syrang	7 do,	325	13	4
108 Sub-Overseers and Sub-Conductors, Asst. Apothecaries, Senior Asst. Apothecaries, Junior Asst. Apothecaries, Regtl. Serjeant Majors, Q. Mr. Serjeants, Line Serjeants, Commissariat Serjeants, Staff Serjeants, Park and Store Serjeants, Medical Apprentices, Medical Candidates, Jomadars, Darogahs, Tindals	3 do.	139	10	4
94 Paymaster Serjts., Color Serjts., and Serjeants, Armourer Serjt., Drum Majors, Bdg. Serjts., Bullock Serjts	2 do.	93	1	6
1723 Corporals, Bombardiers, Gunners, Drummers, Privates, Volunteers, Carn. Ords, Artificers, Havildar Major, and Havildars, 24 Tindals, Artillery Chondries	1 do	46	8	9
7437 Naigues, Drummers, Privates, Senior Medical Pupils, Gun Lascars, Pookaiffes, Bhakibys, Artillery Drivers, Enlisted Dooly Bearers, Regtl. Lascars, Store, Tent, and Wheel Lascars, Guides, Native 24 Drummers, Native Medical pupils	1 do.	31	0	6



THE  
EAST INDIA AND COLONIAL  
MAGAZINE.

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THE NEW BANK FOR INDIA.

*Sketch of the Commercial Resources, and Monetary and Mercantile System of British India, with Suggestions for their Improvement by Means of Banking Establishments—1837.—Smith, Elder, and Co.*

The writer of this small but valuable treatise with a view to a correct knowledge and proper understanding of the subject, which has for some time engaged the public attention in this country relative to the establishment of a bank, has brought together in a connected form such a body of information and array of facts and authorities in support of the arguments advanced in its favour, as to render his work a complete guide on the present state of the monetary and mercantile system in India. Amongst the subjects treated of are those of the inland and external trade, value of imports and exports—Indian banking—exports of coinage—mode of transacting mercantile business in India—European banking establishments—rates of interest in India, &c. concluding with some excellent observations on the advantages which the introduction of an extended and prudent system of banking, would be certain of producing. Emanating as these do from the pen of a writer, than whom there is not one in this country more conversant on Indian subjects, we have been induced to transfer them to our pages in continuation of the arguments we have already in previous numbers set forth on the expediency and necessity for the establishment of a bank in this country connected with India.

The sure mode of making a poor people a rich one, is to govern them in such a way as to make life, liberty, and property, secure,—to take from them, in the language of Mr. Mill, the smallest quantity possible of their annual produce, and that quantity with the smallest possible hurt, or uneasiness. No Indian government, native or European, has ever yet acted upon this maxim; but, upon the whole, we are

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disposed to believe that there is, at the present moment, a far better disposition to act upon it than at any former period. When individuals of enterprise are satisfied that this is the case, the time is arrived when they may safely step forward to assist a well-disposed government, and, in doing so, to benefit themselves; for in such cases, the advantages are reciprocal, and inseparable. The introduction to British India, by gradual and prudent means, of such a portion of the surplus capital of Britain, as can be profitably and judiciously employed, presents itself, at once, as one of the most useful and legitimate means, not only of promoting the welfare of the people of India, but of increasing that of the mother country, and cementing the connection between them. Within the last three-and-twenty years, no doubt much British capital has found its way to India to the great advantage of both countries. Still, a great deal remains to be done; and the main question is, how the redundant capital of England can be most prudently, and judiciously invested, in the open and little cultivated field of Indian enterprise.

Among the modes of introducing British capital into India, we agree with those who are of opinion, that an extended, liberal, and prudent system of banking, would be one of the most obvious and beneficial.

In the foregoing details, we trust that we have satisfactorily demonstrated, that India, in every department of its industry, is eminently deficient in capital; that its monetary system is rude, cumbrous, inconvenient, and expensive; that its banking establishments are wholly inadequate; that the combination of mercantile, agency, and banking operations, is injurious to the public, and destructive of mercantile confidence; and, finally, that there is a wide field for the introduction of British capital, by means of banking establishments.

The bank which we have in view, we think, might prudently conduct the following branches of business,—receive deposits, giving interest on them; grant cash credits on the conditions on which they are granted on the Scotch system; issue paper money, payable in gold or silver to bearer on demand, both at



its principal establishments and branches; discount good bills; and engage in bullion transactions and exchange operations, whether with the interior of India or with the United Kingdom. Such a bank ought to be bound to publish, periodically, at very short intervals, for the information of the proprietors and the public, an account, shewing the whole amount of its debts and assets, at the close of each period,—the amount of its notes payable on demand, and the amount of specie and other assets immediately available for the discharge of such notes: it should, moreover, be liable, at all times to furnish to the government in India and in England, when called for, similar accounts; and it should be debarred, by its charter, from employing its funds in loans or advances, either in the way of mortgage, or purchase, on land, or other property, not readily convertible into money.

Such are, in fact, pretty nearly the conditions on which the Board of Trade, by its minute of the 16th of July, 1830, has recommended that Charters of incorporation, with limited responsibility, should be granted throughout the Colonies, for the formation of banks; and the establishment of which, the Board expresses its opinion, “would tend to promote the commerce and general prosperity” of the Colonies in question.

The State of Massachusetts, (and most of the American States, have followed its example), invariably grants banking charters, with limited responsibility, as our own government has done with its Colonial banks. We hold this principle to be equally sound, whether with respect to our Colonial banks, or to our domestic joint-stock banks. No doubt the principle has been disputed, in so far as concerns the latter; but, it must not be forgotten, that, the question has been raised from a very suspicious quarter, the advocates of the great monetary monopoly of this country, who, while they deprecate a limited responsibility, in most of the American banks, and in the longest and most firmly established of the Scotch banks, can discover nothing exceptionable in that limited responsibility, and sweeping monopoly of the bank of England, which, for forty years, has disturbed and convulsed the currency of the kingdom.



With regard to the management; the principal direction, it is evident, ought to be where the principal body of the proprietors resides; and, this being England, from which the great mass of the capital is to be derived,—the only source, indeed, from which it can be derived,—the chief direction must naturally be in London.

This is the outline of our plan, and we shall proceed to reply, briefly, to the most feasible objections which have been urged against it. We beg, in the first place, to repudiate all countenance of some extravagant, absurd, and grasping projects, engrafted upon the original scheme. It has been proposed, for example, to make the new bank an instrument subservient to the Indian government, in such matters as the payment of the interest of the public debt. This would be to follow the precedent of the bank of England, and, therefore to follow what we consider a vicious precedent, more worthy of being avoided than imitated; it would be to imitate the old proceeding of the American government, in the creation of a national bank,—a nuisance, which we have just seen put down by the enlightened spirit and firmness of the executive of that country. We think the connection would be, both injurious to the bank, and to the government. The interest of the Indian debt is but a trifle,—perhaps not exceeding a million a year,—now that the greater part of the six per cent. loan is paid off, and the interest of the small remaining balance reduced to five per cent. The business of paying the interest of the public debt is performed by establishments throughout India, which cost no more than eighteen thousand pounds a year; while they discharged a great number of other functions besides. By committing the payment of the interest of the public debt to the bank, it is clear, therefore, that neither the government, nor the bank could be any very material gainers, even in a pecuniary point of view.

It is then stated, that the bank would “facilitate the receipt of the revenue, and its subsequent diffusion through the various channels of the public expenditure.” If by this



be merely meant, that good paper money, and good bills of exchange, will give facilities to the collection and expenditure of the public revenue, there can be no question whatever but they would. Good private bank notes are received by the collectors in Ireland and Scotland, in payment of taxes; and the revenues of these two portions of the empire are remitted to the seat of government, through the Irish bank and Edinburgh banks. These are great and unquestionable facilities given by banking operations, in the collection of the public revenue. Irish and Scotch notes also are received and disbursed by the collectors, and this is equally an unquestionable convenience. So far, the same facilities might be afforded by banks in India; but this is a matter which must be left wholly to the discretion and prudence of the government itself; and to speculate upon it, in the first instance, as a source of profit to the new bank, is a mere gratuitous impertinence. If the bank so conducts itself as to entitle it to the confidence of the government, and the public, it may be assured that the government will, as a matter of convenience and expediency, take its notes in payment. On the other hand, if its conduct be indiscreet, no bolstering on the part of the government, will be able to sustain its character and credit.

Some parties, however, have construed the quotation which we have above made, into a disposition, on the part of the new bank, to take into its own hands the entire collection and disbursement of the public revenue of India. These revenues, as we already stated, are about eighteen millions sterling. There are upwards of eighty thousand persons engaged in the collection and distribution of them, at a charge exceeding two millions sterling. This, indeed, would be a gigantic undertaking for the projected bank, if ever the proprietors entertained so ridiculous a project. The allegation, however, is, we suppose, that of an opponent, who, for lack of good argument, has drawn largely upon his imagination.

Some of the friends of the projected bank have, we believe, advocated the making the notes of their bank, a legal tender throughout India. If they have done this, they have sought a



very mischievous monopoly. If private individuals find it convenient and safe to take their notes, there is not the least doubt but they will do so; but, to make them a legal tender, in any description of payments, is not to be endured. The projectors, or their advocates, have proposed the incorporation of the present bank of Bengal with their own institution. They have offered no good reason for this, if they had any; and as we consider two good banks better than one, and a mutual check on each other, we prefer the separate establishment to the union, and, indeed, hope to live to see a score of banks in India, instead of four or five.

One of the objections most urged against the establishment of an Indian bank, is its proposal to meddle in the exchange operations between India and England. It is asserted that this is trafficking in foreign exchanges, and that to meddle in external exchanges, of any kind, is incompatible with the proper business of banking. It is scarcely necessary to say, that British India is not a foreign country. Not only this, but the principal places in which the branches of the bank will be established are governed by the common and statute law of England, administered by professional judges appointed by the crown. All British India, for that matter, is governed, directly or indirectly, by acts of the British Parliament. Scotland and Ireland, before their respective unions with England, had banks which dealt in English exchanges; but no one, in his senses, ever thought of calling such exchanges,—foreign exchanges. Then, as to the matter of distance, which has been objected to:—in 1695, when the bank of Scotland was established, it took nearly two months to send and get a reply to a letter between Edinburgh and London, a matter which is now done, in the usual course of business, in little more than a hundred hours; and which, very soon, will be done in half the time. There was no doubt much inconvenience in a delay of two months, in conducting the exchange operations between the two places in question, but it did not prevent it. Before the establishment of steam navigation, it sometimes happened that the intercourse between Great Britain and Ireland, was



wholly interrupted for ten days together, by bad weather. This was no doubt very inconvenient, but it did not prevent the English and Irish banks from dealing in exchanges. The average time which it requires, at present, to send and receive an answer between England and India, is about ten months, which is about half the time which was required before ships were coppered. It is not improbable, but that through steam navigation, the ten months may be reduced to five; at least, this is, at present, a very general belief. The smallest of these times is, no doubt, very inconvenient; but the inconvenience is one to which we must submit to, even in matters of more importance than mere exchange operations, as in the whole commerce of India,—and in the conduct of the government of India itself, carried on, as it is, at the distance of twelve thousand miles from the party governed. One of the objectors, proceeds to the extravagance, not only of denouncing England as a foreign country, in relation to India, but the majority of the proprietors, of the projected bank, because residing in England, as strangers. These must be a new description of foreigners, who conquered a country—who have exercised its whole sovereignty for seventy years,—who occupy every important civil and military place in its administration, and whose traders are the most active and enterprising of its merchants!

As to the interfering in the operations of the external exchange not being compatible with legitimate banking principles, it is true enough that this is not generally done by English banks. The obvious reason is, that most of the exchange operations of England are conducted in London, and by a particular class of persons—the exchange brokers, whose business constitutes what is natural enough to a great commercial country, a regular subdivision of mercantile labour. In London, therefore, if they be not conducted by bankers, neither are they conducted by establishments, at once mercantile, agency, and banking. Several of the Scotch banks do, however, engage in external exchange operations, not only colonial but foreign; and we perceive that in the Calcutta printed price



currents the rates of Scotch bank bills are regularly quoted. We have one of these bills now before us, of the Royal bank for five hundred pounds; with no less than fourteen endorsements, and which had travelled over all India. Most of the banks of the United States engage in the foreign exchanges, and nothing is more common at the commercial ports of India, from Canton to Bombay, than American bank bills of exchange, especially those of the bank of the United States. It is true, that in these cases, the bills are drawn on London; but this does not materially alter the case, for the India bank would do nothing more than sell its bills on England or India, as is done by the Scotch and American banks. As to the question of advancing money, on hypothecated goods, as is done by the Indian government, both in India and China, this is another matter, and the extent to which the bank may engage in such transactions will be an affair of prudence and discretion for itself. Certainly the Company has, as yet, lost nothing by such operations.

In reference to these exchange operations, the reader, from what we have already stated, will not fail to advert to their peculiar importance. The commercial transactions of India are, in fact, to an unusual extent, based upon exchange operations: there are three millions of revenue to be remitted from India, and probably not less than a million and a half in the shape of private fortunes, making a total of four millions and a half. Most of this consists of pure cash transactions; and, it is very remarkable, that one of the loudest of the present objectors to the new bank, himself proposed the scheme of a bank, having these very remittances for its object. But, besides the remittances just alluded to, it is to be recollected that the export and import trade of this country with India, is, for the most part, in separate and distinct hands. The consignments from England to India are, in consequence, generally paid for in bills; and the exports from India also, in a great measure, through the same channel. It is very probable that the exchange operations would be better conducted, if carried on as in England, by a particular class of dealers, neither



bankers nor merchants : as, however, in the meanwhile, there is no probability of the establishment of such a class in India, we think there can be no question, but that, without exercising any monopoly, exchange transactions may be more safely and beneficially conducted by a bank, than by firms, uniting in themselves the business of speculative merchants, indigo-manufacturers, agents, bankers, and brokers, and whose means are, as no doubt they ought to be, wholly unknown to the public.

The real objection, however, made by the opponents of the bank, to its interfering in exchange operations, between India and England, amounts, in plain terms, to neither more nor less than this, that such interference would produce competition with the existing establishments, and, consequently, impair, in some degree, the amount of the profits which they at present derive from this source. In fact, the only objectors to the bank, that we have ever heard of, are themselves members of the very establishments in question. The most distinguished of them was, indeed, the projector of an Indian bank ; but, in his scheme, he carefully provided for " the existing interests of the houses of agency," by making it a condition that the bank should not interfere in the remittances,—saving, however, that of the public revenue, and of the salaries of public officers. " What the bank would gain," he observes, " the exporter (Indian) would lose." This seems a frank admission that nothing was apprehended but the dread of competition. Another objector is so sore on this subject, that he insists that the bare proposal of establishing a bank tends to call in question the credit and stability of the existing establishments carrying on the trade between England and India. Objectors, of this description, we are in candour bound to admit, are following their vocation.

Without meaning any disrespect, we may safely say of them, as we should say of any other class of men, similarly circumstanced, that their thoughts are more commonly exercised about their own particular branch of business than about the general interests of the public. In the words of Adam Smith,—“ The interests of the dealers, in any particular



branch of trade or manufactures, is always, in some respects, different from, and even opposite to, that of the public. To widen the market, and to narrow the competition, is always the interest of the dealers. To widen the market, may frequently be agreeable enough to the interests of the public; but to narrow the competition must always be against it, and can only serve to enable the dealers, by raising their profits above what they naturally would be, to levy, for their own benefit, an absurd tax upon the rest of their fellow-citizens." We leave it to the candour of these parties to consider, whether they are not now levying, and seeking to continue to levy, Adam Smith's absurd tax.

One of the sweeping objections made against the proposed bank is, that it would establish a monopoly, as pernicious as that which has just been got rid of; that is the commercial monopoly of the East India Company. We admit, without hesitation, that were an Indian bank established, with all the privileges and immunities, and power, which some of its indiscreet advocates have suggested;—that were there men foolish enough to persevere in asking for such privileges, and other men still more foolish to grant them,—that a very ugly and mischievous monopoly, would unquestionably be established. But to say that any pecuniary monopoly, which a poor five millions sterling, engaged in banking, could produce, would be equally pernicious with a joint monopoly of the sovereignty and commerce of the Indies, both of them arbitrarily exercised, is a piece of polemical extravagance, which is not deserving of a serious refutation. A bank, with a capital of five millions sterling, is spoken of as if it were something fearful for its mere amount;—a huge leviathan, that was to swallow up all the poor sprats that are now industriously picking up crumbs in the ocean of Indian commerce. We have no particular partiality for the number five; and, although we do not consider such an amount of millions extravagant, when we do look to the magnitude of the country which is to furnish it, and of the country which is to employ it, we should have no serious objection to see a sum of three millions, or four millions named instead.



All, in fact, that we desire, is to see the commencement of a laudable and legitimate undertaking.

What has lately been done for the West Indies, will afford a strong corroboration of our suggestions respecting Indian banking. A charter, with limited responsibility, has been granted by the crown for a West Indian bank, with a capital of two millions. The principal direction is in London; and there are branches in every considerable West India colony, insular and continental,—places much more remote, and more difficult of intercourse with each other, than almost any portions of British India. The whole population of the British West Indies, scattered over a vast and divided surface, is but eight hundred thousand at the utmost; and, of this, fifteen parts out of sixteen are African;—that is to say, consists of a race, which, to say nothing of their being as yet barely emancipated from the servile state, are greatly inferior, in civilization, to any people of India. The total exports from the whole West Indies, in 1832, amounted to £6,257,797: and the imports to £3,694,368; making an aggregate of near ten millions. Now, this is the result of a trade which has been pampered and bolstered by a monopoly for one hundred and fifty years. To say nothing of the trade of China, which is, really, part and parcel of that of India, this is but one half the trade of India, a trade which has lain under an interdict during the same period. Surely, after these statements, we may safely argue, that, if a banking capital of two millions sterling be necessary for the West Indies, one of five millions cannot be considered excessive for a country having a more civilized population, and one that is a hundred times as great;—a country, moreover, which, instead of taking from the pockets of the British people, as the West Indies do, some £700,000 sterling a year, for civil, military, and naval expences, and a still larger sum, as a perpetual annuity for slave emancipation, pays its own civil and military charges, to the last farthing; nay, furnishes a tribute of not less than a million sterling to subjects of great Britain. But the real length of the West India voyage, it may be alleged, is less than one half that of the Indian voyage.



If this be the case, we reply, that the length of the voyage to Australia, where a bank has been chartered by the crown, is at least, one fifth part more than the East Indian, and that the principal direction of that bank, of which the shares are at present at a premium, is also in London.

A bank, conducted on the principles which we have laid down, will, we are convinced, if duly followed up by others of the same nature, prove the commencement of a system, which will tend to improve the agricultural and commercial resources of India, and the condition of its inhabitants, as well as facilitate the operations of the merchant, and the fiscal transactions of the government.

#### THE LIFE OF SIR WALTER SCOTT, BART.\*

We have been favoured with the long-looked for first volume of Mr. Lockhart's life of the great wizard of the north. Of all men, Mr. Lockhart has been deemed the most likely to produce the best and most interesting store of information characteristic in every way of the life of his eminent relative. Long the bosom friend, the constant companion, the brother student in the favorite walk of literature, of Sir Walter Scott, the biographer whose labour is now in part before us, must be thought peculiarly fitted for the task he has imposed on himself. We are glad to acknowledge that we have suffered no sort of disappointment in our perusal of the first volume of the above work. It is replete with valuable and well collated material illustrative of the early life of its subject; and the comments that the various newly discovered MSS. letters &c. have elicited evince the sterling taste and judgment which Mr. Lockhart's previous literary reputation allows him to possess. We should premise that the biographer accidentally discovered late in the progress of his "labour of love" a short fragment of autobiography which evidently bore the impress of Sir Walter's own style of composition and hand writing. As the valuable document had traced his early life onward to

\* Vol. i. Whittaker and Co.; and Cadell, Edinburgh.



manhood, it was much to be regretted, that amidst the ransacked effects at Abbotsford, it remained for a length of time undiscovered and unknown. On its discovery, Mr. Lockhart had, we understand, nearly prepared his first volume for publication, he therefore found it necessary to re-model and considerably re-write this portion of the work in order to incorporate the fragment above alluded to. The sketch of autobiography affixes an additional value to the first volume, and we have no doubt that the memoir, as it is gradually issued, will soon run out its first editions and call for many more. The flimsy material which has already appeared purporting to form memorials of the life of Sir Walter Scott, cannot in the slightest degree militate against the sale of this infinitely firmer based edition.

The weekly periodicals having familiarised the public with lengthy extracts from the memoir, it is only left us to gather an anecdote or two as yet untouched by the sharks of the ephemeral sea of literature.

The following illustrates Scott's generosity of disposition in a remarkable light:—

“ Let me here set down a little story which most of his friends must have heard him tell of the same period. While attending Dugald Stewart's lectures on moral philosophy, Scott happened to sit frequently beside a modest and diligent youth, considerably his senior, and obviously of very humble condition. Their acquaintance soon became rather intimate, and he occasionally made this new friend the companion of his country walks, but as to his parentage and place of residence he always preserved total silence. One day towards the end of the session, as Scott was returning to Edinburgh from a solitary ramble, his eye was arrested by a singularly venerable *Bluegown*, a beggar of the Edie Ochiltree order, who stood propped on his stick, with his hat in his hand, but silent and motionless, at one of the outskirts of the city. Scott gave the old man what trifle he had in his pocket, and passed on his way. Two or three times afterwards the same thing happened, and he had begun to consider the *Bluegown* as one who had established a claim on his bounty: when one day he fell in



with him as he was walking with his humble student. Observing some confusion in his companion's manner as he saluted his pensioner, and bestowed the usual benefaction, he could not help saying, after they had proceeded a few yards further, 'Do you know any thing to the old man's discredit?' Upon which the youth burst into tears, and cried, 'Oh no, sir, God forbid—but I am a poor wretch to be ashamed to speak to him—he is my own father. He has enough laid by to serve for his own old days, but he stands bleaching his head in the wind, that he may get the means of paying for my education.' Compassionating the young man's situation, Scott soothed his weakness, and kept his secret, but by no means broke off the acquaintance. Some months had elapsed before he again met the Bluegown—it was in a retired place, and the old man begged to speak a word with him. 'I find, sir,' he said, 'that you have been very kind to my Willie. He had often spoke of it before I saw you together. Will you pardon such a liberty, and give me the honour and pleasure of seeing you under my poor roof? To-morrow is Saturday, will you come at two o'clock? Willie has not been very well, and it would do him meikle good to see your face.' His curiosity, besides better feelings, was touched, and he accepted this strange invitation. The appointed hour found him within sight of a sequestered little cottage, near St. Leonard's—the hamlet where he has placed the residence of his David Dean's. His fellow-student, pale and emaciated from recent sickness, was seated on a stone bench by the door, looking out for his coming, and introduced him into a not untidy cabin, where the old man, divested of his professional garb, was directing the last vibrations of a leg of mutton that hung by a hempen cord before the fire. The mutton was excellent—so were the potatoes and whiskey; and Scott returned home from an entertaining conversation, in which, besides telling many queer stories of his own life—and he had seen service in his youth—the old man more than once used an expression, which was long afterwards put into the mouth of Dominie Sampson's mother:—'Please God, I may live to see my bairn wag his head in a pulpit yet.'



“ Walter could not help telling all this the same night to his mother, and added, that he would fain see his poor friend obtain a tutor’s place in some gentleman’s family. ‘ Dinna speak to your father about it,’ said the good lady; ‘ if it had been a *shoulder* he might have thought less, but he will say *the jigot* was a sin. I’ll see what I can do.’ Mrs. Scott made her inquiries in her own way among the professors, and having satisfied herself as to the young man’s character, applied to her favourite minister, Dr. Erskine, whose influence soon procured such a situation as had been suggested for him, in the north of Scotland. ‘ And thenceforth,’ said Sir Walter, ‘ I lost sight of my friend—but let us hope he made out his *curriculum* at Aberdeen, and is now wagging his head where the fine old carle wished to see him.’ ”

#### ATTEMPT TO ASSASSINATE MR. LOCH, DEPUTY CHAIRMAN OF THE EAST INDIA COMPANY.

The public have recently evinced a very natural sympathy in the case of the unfortunate Kearney. The series of painful annoyances the East India Company have inflicted upon a man whom they found too keen for their purposes, have worn too deep and characteristic a die to be passed over with slight interest. The assumption of arrogance which the Directors and their sycophants always put on upon occasions of poor, though deserving, men applying for redress of wrongs the Company have alone originated, was enough to irritate the most stoical, much more one who, like Kearney, was not devoid of feeling more refined than that usual to the class of persons to which he belonged. Kearney was, we know, a better educated man than the majority of the home servants of the Company—a man, too, quite equal to them in the usual etiquette, and gentlemanly demeanour observable in what is termed “ very respectable ” society. As such an individual, he should at least have been treated with the courtesy he deserved; but not content with a total denial of the rights he claimed of the Company, the latter, by supercilious and galling contempt, for which they are distinguished, gradually worked up the poor fellow’s mind to a pitch



of excitement, which ultimately refused to acknowledge all bounds. So much we will admit. We will admit, too, that the man must have been insane when he attempted the base act which horrified us (although it did not altogether surprise us). He was driven mad by his unrelenting, his malevolent persecutors, and by domestic privations (the want of the common necessities of life we have been given to understand). However, Kearney did not become a maniac before he had detailed a very sane and circumstantial account of the injuries the Company had subjected him to. This document remains a memento whose every sentence reflects a gloom on the policy,—the abortive management of the Leadenhall fraternity. Its subject matter must be still fresh in the remembrance of every reader. We need not therefore re-detail it. Suffice it that Kearney possessed strong claims on the Company's approving notice, for his services whilst their servant.

These fully justifiable claims were contemned by his employers through thick and thin. Neither the influence of high testimonials of ability, nor the recommendations of high official authorities, could sway the directors in his favour. Lady Bentinck herself pleaded for him vainly, and all who are in the slightest degree acquainted with that lady must feel assured that she at any rate would be the last to advocate a cause that was frivolous or impertinent. What wonder then that the recent deplorable occurrences have taken place. We find in the garbled and generally sophisticated story of the Directors on this case, the following testimonials of Kearney's abilities and conduct. "In 1822," say the candid Directors themselves, "Kearney first proceeded to India as a recruit for the company's artillery. In Aug. 1823, he was transferred to the Commissariat; he was then a gunner in the artillery. In March, 1834, Colonel Cunliffe, the Commissary General, caused him to be made a sergeant." Mark the gradual advancement of the man in the service! doubtless commensurate to his good conduct.

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## THE YEARLY ESTIMATE OF BENGAL COMMERCE.

The following details of the external commerce of the Bengal Presidency, during the years 1835-36, taken from Mr. Bell's—"View of the commerce, &c.,"—of Bengal, will be received as a greatly acceptable document by mercantile readers. The Government monopoly in India being now at an end, and the Company having ceased to enter into a trading competition with its subjects, the latter have been left to their own resources; and, although a depression of their commerce was, in consequence, anticipated, we are glad to find it ocularly demonstrated, that, commercial enterprise and intercourse has fully recovered its elasticity in the Presidency; and, indeed, freed from its late encumbrance, evidences a vigor which augurs unprecedented success.

In the year 1834-35, the increase of imports in merchandize, over the preceding year, was Rs. 18,48,956; the increase of exports Rs. 14,22,477; the increase of the commercial transactions in both kinds, was Rs. 32,71,433. But the year 1835-36, shews an increase on private trade merchandize of no less a sum than Rs. 1,82,53,980, being nearly *six-fold* in one year. This increase is composed of Rs. 31,32,896, to the credit of imports, and of about *a crore and a half* of rupees to that of exports.—The entire imports of the port of Calcutta during the past year were Rs. 3,15,32,804. The entire exports Rs. 5,73,87,757.

This augmentation of imports belongs in the following proportions to the respective countries:—

From Great Britain,	22,92,319
„ Bombay,	9,36,978
„ North America	7,49,516
„ South America,	1,48,358
„ The Gulphs, &c. &c.	1,43,314

This increase has been counterbalanced by a falling off in imports from the following places:—

From Singapore	5,09,599
„ China,	5,52,780
„ Mauritius	1,14,061
„ Madras Coast,	94,945

The increase of imports is shewn on the following articles to the extent placed opposite them:—

	Lakhs,
Salt, from Bombay,	11
Cotton Twist,	7½
Haberdashery,	2
Copper,	3½
Iron,	4½



	Lakhs.
Spelter . . . . .	2½
Lead . . . . .	1½
Brandy, . . . . .	1½
Port, Claret, and Champagne . . . . .	2
Betel-nut . . . . .	1½
Cocoa-nuts . . . . .	1
Teak Timber . . . . .	1
Steel, Beer, Beads, Coffee, Paints, and Sticklac, . . . . .	3½

Against which we have to place a decrease in the following articles :—

Woollens, . . . . .	5
Cotton Piece Goods . . . . .	1½
Silk Piece Goods . . . . .	1½
Pepper . . . . .	2½
Tea . . . . .	2
Block Tin . . . . .	1½
Vermillion . . . . .	1
Five other articles . . . . .	2½

It is gratifying to perceive that the entire exports from England to the port of Calcutta, during the past year, amounted to a million and three quarters sterling.

• In the article of cotton twist and yarn, the augmentation of imports has been, Rs. 7,34,405, which is an increase of *twenty-five per cent* in a single year, while upon the importation of cotton piece goods, there has been a decrease of a lakh and a half of rupees. This circumstance is in favour of the manufacturing interests of the Native community, for the twist affords employment to the hand-loom of India, while the importation of piece goods puts a stop equally to the loom and distaff. In reference to this article of import, it is important to remark that the use of the English loom is rapidly spreading through the country, more especially in the manufacture of silks. In comparing the operations of the past year with those of former years, we find a very considerable change as it regards the relative introduction of British twist and British cloths. In the five years between 1824-25 and 1828-29, the average importation of cotton piece goods from Great Britain was Rs. 54,03,241, while, in the last year, it had fallen to Rs. 41,35,340. In the former period, the importation of twist was on the average, Rs. 13,03,002, in the past year it amounted to the sum of Rs. 35,37,740.

The importation of cotton cloths from America, which at one period threatened to interfere with that of British cloths, has dwindled down in the past year to the insignificant sum of Rs. 11,301. The importation of books from the transatlantic press has increased to 27,387, and, under the operation of the new Tariff, by which the rate of duty has been reduced, the



intellectual supplies from America are likely to experience a farther increase.

The import of block tin from Singapore has fallen from Rs. 3,49,000 to 1,80,000; and a similar decrease is visible in segars, of which the quantity imported last year did not exceed 81,185.

The importation of black pepper, has decreased about one-third, having in the preceding year been Rs. 7,02,392, and, in the last season only Rs. 4,73,778

In regard of wines, port appears to be again rising in demand at the expense of sherry; there was imported last year nearly one lakh of rupees worth, in excess of the imports of the previous year; while in sherry there was a falling off to the extent of half a lakh. In claret, burgundy, hermitage, and champagne, there was also a sensible increase, the import of 1834-35 having been Rs. 2,11,101; that of 1835-36, Rs. 3,19,358.

Beer has also been more largely imported; the quantity received in the past year was Rs. 3,11,720, which would give us a quart a day for 4,000 beer drinkers.

But it is in the article of brandy that the most palpable increase is visible. The importation of 1834-35, was 3,25,405; that of the last year, 4,72,110, shewing an augmentation of no less than 1,47,005 Rs., nearly a lakh and a half of rupees. It is not to the credit of the country that the importation of ardent spirits should be one-third more than that of malt liquors. To counteract the effects of this increase of brandy to the extent of a lakh and a half of rupees, we have an augmentation in the import of medicine to the extent of 616 rupees!—The increase in the import of English books and pamphlets, is about one-tenth that of brandy, being just 16,001 rupees over the previous year's importation.

The rapid increase of the importation of ardent spirits, is very striking:—

	Rupces.
In 1833-31 the imports were . . . . .	2,31,000
1831-35 . . . . .	4,80,724
1835-36 . . . . .	5,57,845

The importation of teak timber has doubled within the past year; being two lakhs to the one lakh of 1834-35. It is worthy the attention of Government that the duties levied on the exportation of teak, at Moulmein, are so injudiciously heavy, as greatly to check the trade, and to give a considerable preponderance to the export of teak from Rangoon. It is to be hoped that the appointment of a British Consul at Rangoon,



although ten years after the conclusion of the Burmese war, will bring our commercial relations with the territories, now, or formerly, belonging to the Burmese, more immediately under the eye of the Supreme Council, and lead to arrangements calculated to draw out and improve the resources of the fine provinces we gained from the Burmese.

The export trade of the last year, however, presents results still more gratifying. It has been increased by not less than a crore and a half of rupees. Yet the pleasure of contemplating so large an increase of national prosperity is not without its alloy, for, the larger item belongs to the pernicious article of opium; of which the increase of export from Calcutta alone, in the past year, amounts to 70 lakhs of rupees. The amount contributed by this Presidency to debase the morals, and destroy the mental and corporeal vigor of the Chinese nation, has now reached *two millions* sterling.

In the article of silk piece goods there appears a considerable increase; the export of the preceding year having been twenty-nine lakhs and thirty thousand; that of the last year, thirty-two lakhs and forty-seven thousand. Peculiar animation has been visible in the manufacture of silk cloths, in and about Calcutta, during the last year. In raw silk, notwithstanding the withdrawal of the Company, to a great extent, from the market, there has been rather an increase of the exports. If we remember aright, the Company were allowed by his Majesty's Government to keep on their silk factories, while the others were peremptorily closed. The object in view was not the benefit of India, but of England. The transactions of the past year shew that private individuals are fully prepared to take up the silk trade, and that it will rather improve in quantity under private management. In 1834-35, the exports of silk to Great Britain, by the Company, was 22,46,230; the quantity exported by private individuals was 9,42,941; total, 31,89,171 rupees. In the past year, the Company's exports were reduced to 11,59,162; but those of private merchants rose to 20,44,243; total, 32,03,405 rupees.

We are happy to notice among the articles of export, cotton twist to the value of Rs. 1,35,697, manufactured at the Glos'ter Mills, and exported to China.

In the article of indigo, there has been a very large increase of exports. The export in 1834-35, was Rs. 80,99,450; that of the past year, Rs. 1,28,19,150.

In the staple of sugar, though the increase on exports has on



the whole trade been trifling, it is pleasing to notice that the exports to Great Britain have risen, from twelve lakhs, thirty-seven thousand, to fifteen lakhs, eighty-four thousand rupees. But the most remarkable transaction in this article, has been the dispatch of sugar to North America, to the extent of 68,232 rupees.

In raw cotton, the increase of exports has been "progressing" at the most rapid ratio. In the year 1834-35, we sent three lakhs and thirty-seven thousand rupees worth of cotton to England. In the last year, the shipments were more than trebled. The exports having been eleven lakhs and a half. But the exports to China have been still greater. In the preceding year, the export was rupees 27,60,170, in the past year it rose to rupees 44,44,495.

In rice, the exports have diminished nearly one-half; the exports of the last year having been only about seventeen lakhs. The year 1835-36, is remarkable as having been the cheapest year for rice since the era of the greatest famine in 1770.

We will add, in conclusion, that the exportation of linseed, which is owing entirely to the commercial enterprise of Mr. Hodgkinson, has doubled in the last year; the exports in 1834-35, having been to the extent of rupees 1,64,126; those of 1835-36, to rupees 3,36,034. From this circumstance, it would appear that the linseed of this country is able to maintain a successful competition with the linseed of Russia.

#### DECREASE OF IDOLATROUS PATRONAGE IN INDIA.

*To the Editor of Alexander's East India Magazine.*—SIR, In a Madras paper, under date August 11, 1836, I have noticed, with much interest, the progress making in Southern India, to remove the anomalous and degrading connexion of an enlightened British Government with the popular superstitions of India. The official order is important; and the Editor's remarks on the varied and extended ramifications of the evil in question, will, doubtless, surprise and grieve many of your readers. The recent Memorial upon this subject from the Madras Presidency to their own Governor, to the Governor General, and to the Court of Directors, will, doubtless, make an impression where its details should be known, and its grievances can be remedied. How much yet remains to be known of the actual obstructions to the civilization and evangelization of British India!

AMICUS.

L——, March 10, 1837,



“ *Head Quarters, Choultry Plain, July 26. 1836.*”

“ The Commander-in-Chief directs it to be strictly observed as a standing Regulation of the Service, that whenever the attendance of troops, either European or Native, may be necessary at any Native Festival or similar occasions, the troops so employed are invariably to be kept in a collected body, as a military guard, for the maintenance of order, and are not, on any account, to be permitted to join or take part in the procession or ceremony, nor act as escorts either to persons or property.”

We have great pleasure in publishing the preceding order, which appears in the *Official Gazette*, under date July 30th, 1836. We may look upon it as another important step taken by Government to meet the wishes of the community to relieve all Christians, Mahommedans, and Heathens of all classes, from the necessity of attending at and making part in religious festivals of which they do not conscientiously approve. The Government had already done much, which we would gratefully accept in proof of a disposition to effect whatever improvements may, under existing circumstances, seem judicious and practicable. The attendance, at Popish, Mahommedan, and Pagan festivals, of the youths detached from the Walajabad establishment to form the bands of Native regiments, was some time ago prohibited,—the Natives are no longer compelled to attend and draw the idol car—and, it is understood from the best authority, that, *no Govt. Order ever existed which requires any civil or military servant to prevent offerings, or do any kind of homage, to idols.* The rescinding, therefore, of the substance of the Government Regulation No. VII, A. D. 1817, and the general prohibition of the compulsory attendance of Protestants at Popish places of worship, seem all that is now necessary to the satisfying of the wishes that have been expressed in the Memorial to Government, which has lately been in circulation for signature.

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Peculiar pleasure is experienced in giving the foregoing extracts from the *Madras Christian Observer*, on account of the ecclesiastical notifications, for which it is the best authority; but especially for the sake of the last paragraph. We have been told that the Commander-in-Chief's order originated in other circumstances than the Memorial lately sent in, and we are glad of it; because, if otherwise, this order would have been a negative indication to the prayer of that Memorial



which asked for more than the order concedes, though perhaps it does not ask enough; for the revenue part, in the question of the connexion with idolatry, is left untouched. Let us, however thankfully get, if possible, what can be safely asked; and leave the rest to time or circumstances; and to the controlling agency of Divine Providence, which all will acknowledge to have a silent working in the affairs of men. Even if the rescinding of the Regulation VII. of 1817, cannot be at once obtained; still much will be done by its being generally known that the Government does not require from its civil servants, especially, those ostentatious acts and supererogation in the service of idols in which heretofore some of them were accustomed to indulge to an excess that would merit to be termed licentious. The Regulation in question, we fear, was shaped expressly to counteract some provisions in the charter of 1813, that were peculiarly distasteful to the authorities of the day both in England and elsewhere. The Government servants took their cue, though they might have no positive order to sanction their zeal. Now (as we most gratefully bear testimony) that the feelings of those in authority are greatly modified, if not entirely changed, it is hoped that the servants of the Company will henceforward know that they may act up to their public duties without compromising either their rational or their Christian character. To be more precise, it is hoped that nothing like the following past occurrences will happen:—

1. That no civil servant will countenance the ridiculous fiction, that the idol cannot be made to move unless he first put his hands to the cable; nor will he ever condescend to perform this office bare-footed in honor of the idol.

2. That no public servant will ever expend his own property or the revenue, in causing an immense pillow of cotton cloths, fully saturated with a great quantity of clarified butter (or ghee) to be placed on the hill of Trincomally, there to be lighted and left to burn for a fortnight as a *homa* or fire-offering, to the *lingam* (or idol of stone) in the temple at the said place.

3. That no civil servant will hereafter cause to be erected, close by a Christian church, and in opposition to its design, a heathen pagoda, or any tank connected with it to be dug; or the Company's lions in bronze to be placed at the top of the steps leading down to such tank; which, *brazen abomination*, still visible near the Scotch church at Madras, might moreover be very becomingly removed!

4. That no civil servant will hereafter cause to be presented



to any heathen temple a brazen archway, adapted to receive innumerable lamps, and blazing forth every night a flaming reprobach, to the honor and glory of any block of stone whatever or wheresoever placed.

5. That no such servant will hereafter direct items of public peculation to be placed to the schedule of the pagoda, because of the "known disposition of the Government;" and because "those items are never carefully investigated, but always easily passed."

6. That no civil servant will countenance the forgeries of Brahmuns, when pretending to have discovered old and musty records of festivals, once celebrated and since disused; leading to the revival of such festivals, and to an annual increase of burden on the revenues of the country, in paying the attendant expenses.

7. That no public servant will hereafter cause images of Hindoo idols to be made and consecrated, keeping them afterwards in his own bed-room, thereby discountenancing an idea among the Natives that he is accustomed every morning to pray to them, and to worship them. It is, moreover, hoped that no public servant will ever meet with so disastrous and melancholy an end, as regards this life, as did two of the individuals alluded to, one of them having poisoned himself, and the other having been poisoned in mistake by his Native medical attendant.

Though there are many particulars behind, yet here we pause, and that because, as before said, we are affected with a shyness on this awful theme, and are mindful of the homely English proverb, "Enough is as good as a feast."

The above has forcibly reminded the writer of the following spirited paragraph in the letter of an estimable correspondent in 1820, now residing in Orissa. It speaks volumes for the discontinuance of British countenance of idolatry:—"It is one of the most astonishing facts in modern history, that a high-spirited professedly Christian Government, celebrated for the wisdom of its councils and the benevolence of its proceedings, should lend its patronage and prostitute its power for the support of the most degrading, most cruel, most obscene system of idolatry that ever disgraced mankind; and not only lend its power and influence for its support and splendour, but condescend to fatten on the spoil, and sell its dignity for a few rupees! I cannot help feeling indignant at the conduct of my countrymen who are connected with the worship of Juggernaut. Here we have a high-minded English gentleman, who would challenge and shoot a



man for the least expression derogatory to an imaginary honor, stooping to be a cart-wright, or car builder, for an ugly wooden idol, and superintending the payment of the Brahmun's food, and the hiring of prostitutes for their service. There is another standing at the gateway, and taking toll from the poor wretches the victims of the Company's and the Pundah's duplicity, and offering arguments to prove that it can do no harm. It will scarcely be believed that a gentleman, high in the service of the Company, is to be seen, as busy as possible, conducting, with apparent pleasure, the abominable idolatries, and waving his cap, encouraging the car-drivers to proceed. These gentlemen deserve to have their names published to the world, so that, when they return to England, to enjoy their ill-gotten gains, their countrymen may treat them as their conduct deserves. The Natives glory in this dereliction of Christian principle, and they loudly proclaim,—“how the Company honors Juggernaut” —“see, here,” exclaim the Pundas, “how we are filling the Company's treasury!”—“*Deckho, padroe sahib, amblemaine kemanta Companyr Khajanakhoo bhurtae karre!*—*Proh dolor!*”

## MEMOIR OF THE REV. WILLIAM CAREY, D. D.

LATE MISSIONARY AT BENGAL.

(Concluded from No. 76, page 248.)

We have now traced to the fourth and concluding article, a hasty review of the life of Dr. Carey. Our object in thus occupying our pages with the subject, has not been so much to portray the Christian character of Carey, as the reputation he has gained for a most erudite and laborious scholar. From childhood to old age, the subject of our sketch was never free from troubles, in comparison with which the usual sufferings, common to the lot of man, were as nought. He surmounted every obstacle as quickly as it rose against him. Casting off all participation in the pleasures of secular life, from boyhood Dr. Carey devoted his mind to his God; unincited by worldly ambition, he effected the grandest work of man; for he instilled Christian sentiments and Christian hope into minds primitively debased, stolid, and unintellectual—he overcame apparent impossibilities, for he made himself master of twenty-seven Indian languages.—translated and printed the bible in those languages, preached in those languages to the Natives, and carried on a daily intercommunication of religious converse with the latter for many consecutive years. If he was not fully repaid for his astonishing labours, in the number of converts to Christianity,



it only shews the infinite difficulties, if not impossibilities, seemingly in the way of any palpable improvement in the condition of those whom the Creator has, in his wisdom, denied the intellectual qualifications common to civilised races.

It was incumbent on the Missionaries, as we have stated in our last article, that when separated from Mr. Udney (as was now the case) they should undertake some worldly occupation to quiet the capricious objections of the then Indian Government against the Missionary views. They, therefore, engaged at once in nominal businesses, such as the cultivation of a few sugar canes, &c. and in consequence remained for a short period unmolested. Mr. Udney was yet their friend, and afforded them occasional pecuniary assistance, until an accident by which his indigo factory was suddenly inundated, obliged him to witness the final departure of the Missionaries from his estate. A change of location thus becoming imperative, the Mission removed to Kidderpore, which place, however, it soon evacuated, in consequence of Government's refusal to allow some newly arrived brethren to join it. From Kidderpore it removed to Serampore (not then under the British power) where the Missionaries met and formed themselves into a very imposing body of religious devotees, consisting of ten grown persons and nine children. They were followed to Serampore by the sympathies of many zealous friends, whom they had gradually made amongst the Europeans of India. A subscription was set on foot, and a large sum soon gathered to be mainly appropriated to the printing of various translations of the scriptures then in readiness. Their sphere of action was already considerably enlarged; they preached often to European as well as Native congregations with eclat. Carey, about this time, says in a letter to England—"A friend has made a present of a printing press to the Society. I am now going to Calcutta to bespeak types and to engage workmen, and the same friend has generously engaged to advance money for this purpose on the credit of the Society, which will amount to 2000*l.* sterling, to strike off 1000 copies of the scriptures and pay for press, types, paper and workmanship. The Society must be ready to pay bills to the amount of at least 2000*l.* whenever called upon." Of the school he had formed he thus speaks,—

"This now consists of nearly forty scholars, and has till now been wholly supported by brother Fountain and myself. The School would have been much larger had we been able to have borne the expense. A subscription however, which was made



after I had preached a sermon on the occasion at Malda, will enable us to support it on an enlarged scale." Carey's object had now become known, and his character appreciated. At Serampore arrangements were completed tending to the permanent comfort and settlement of the Mission; which here was well cradled, and soon flourished. Albeit, its happiness was early invaded by the death of four of its party, whose constitutions could not withstand the climate. But this was but a temporary cloud over the sunny prospect anticipated. The Society, at home, made liberal pecuniary advances;—a boarding school was opened for educating the rising European generation of the vicinity, which succeeded admirably. Tracts of various kinds were printed in native languages and distributed; and under Carey's care, the cultivation of the English language, by the Natives, advanced with incredible rapidity.

But it is more our province to trace the life of Carey, rather than the progress of the Mission he headed, or else the elaborate particulars we have now arrived at in the memoir, for the better establishment of the Missionaries in India, would furnish some very interesting extract.

As increasing prosperity dawned upon him, Carey's application to the grand scheme he had in view, set at defiance all bodily impediments—illness, the climate, domestic cares, all gave way to his studies in translating the Bible. He hoarded every hour of his days, and allowed each consecutive day to trench upon the night in pursuit of his all-absorbing object. Eventually his work was near its completion—the scriptures were translated and nearly printed in a variety of Native languages—the types, of a most peculiar construction, completed, the printing-press in readiness, only the final master stroke to be given, when one night (says the memoir) Carey retired to his pallet full of hope, and flushed with the prospect of having overcome the greatest obstacle he had to contend with; he slept, and, strange dispensation of Providence! he awoke—but to witness the mouldering ruins of a greater portion of that which many years of arduous labour had accumulated. The printing-house, and its contents, destroyed by fire!

What was lost, and how Carey bore this calamity, will be found in the subjoined extract of a letter.

"Our printing-office has been totally consumed by fire (1842) and all the property, amounting to at least sixty or seventy thousand rupees destroyed! nothing was saved but the presses. This is a heavy blow, as it will put a stop to our



labours in printing the scriptures for a long time to come. Twelve months hard application will not put it in the state it was in; not to mention loss of property, MSS. and other things which we shall scarcely ever surmount. I wish to be still and content, and bow to *His* divine will in every thing. *He* will, no doubt, bring good out of this evil; but, to us, at present, the Providence is exceedingly dark. No lives were lost—we cannot tell what was the cause of the fire.”

Another of Carey's letters, observes:—

“The matrices of the Oriental types and the punches, are all recovered from the ruins—and the presses saved, so that with the metal of the types, which was melted down in the fire, we are able immediately to begin casting, and shall, in another fortnight, if nothing unforeseen intervene, be able to begin printing again in one language. Of MSS. burnt, the Telinga, Kurnata, Shikh, Sanscrit, and Assam languages, are a very heavy loss.”

Carey nobly rose above this awful and disheartening calamity, and applied himself with renewed energy to the repair of his serious losses in MSS. It was a subject for congratulation that the injury done to the printing apparatus, might yet be remedied in a year or less, now that the Mission could command unlimited finances, and if anything was wanting to dissipate the gloom, which, for a time, hung upon Carey's brow, it was his appointment (which at the time occurred) to a Bengalee Professorship in the College at Calcutta just then founded by Government; an increase of salary and influence succeeded this appointment.

On this topic Carey remarks,—“Some new sources of income are opening here. The Council of the College have petitioned Government for an enlargement of my salary. The College and the Asiatic Society have agreed to allow us a stipend of 300 rupees per month, to assist us in our course of translation.”

Alluding to his various achievements in advancing the cause of Christianity, Carey sums up the results of his existence in India, thus:—

“We (the Mission) now form a public family; yet we have no private property. I have lived to see the Bible translated into Bengalee, and the whole new testament printed. The first volume of the old testament will soon appear. I have lived to see two of my sons converted, and one of them join the church of Christ. I have lived to baptize five native Hindus. I have lived to see the temporal concerns of the Mission progress far



beyond my expectation, so that we have houses, money, a flourishing school, the favor of both the Danish and English Governments; (the latter, it seems, he had conciliated,) and, in short, the Mission almost in a state of ability to maintain itself. Moreover, I have outlived four of my brethren, Grant, Fountain, Brunsdon, and last of all, Thomas,"—(who recently died.) His wife Mrs. Carey, indeed, was confined; and Carey witnessed the burial of his wife soon after that of his companions.

The following extract is complimentary to the character of Lord Wellesley, while it evinces Carey's utter contempt for patronage won by the usual sycophancy of a courtier.

*February 8, 1805.*

"My situation in the college imposes a great quantity of labour on me; but I feel happy in it, because it subserves the cause of the Mission. In September last I was, as moderator at the public disputation, called to deliver a public speech in the Bengali language, and another in Sanscrit, before the Governor General and all the chief officers of Government. The Sanscrit speech, being the first ever delivered in that language by a European, was ordered to be translated, and, with its translation, printed among the college essays and theses. I took that opportunity to address part of the speech to his Excellency Lord Wellesley; and after it was translated I sent it to Mr. Buchanan, desiring him to suggest any alterations or additions. He considerably enlarged the address to Lord Wellesley, and inserted some expressions of flattery, which I totally disapprove. Without saying any thing to me, he sent the speech thus enlarged and amended to his Lordship, for his approbation, previously to its publication. As it involved some things respecting the Mission, particularly an open avowal of my having been in the habit of preaching constantly to the natives, and superintending schools for the instruction of Hindu children in the principles of Christianity, he was very anxious about the result, but said nothing to me till it was returned, with a letter written by his Lordship's hand, of which, as nearly as I can recollect, this is a copy:—

'I am much pleased with Mr. Carey's truly original and excellent speech; I would not wish to have a word altered.—I esteem such a testimony from such a man a greater honour than the applauses of courts and parliaments.' W.'

"Both Mr. Brown and Mr. Buchanan were astonished; and



yet more so, when, on the 6th of February last, Mr. Brown and I, before dinner at the Government House, were talking together, Lord Wellesley came up, and expressed nearly the same sentiments to me, in nearly the same words, adding, "I then desired Mr. Buchanan to tell you this, and have the pleasure now to tell it you myself." He then asked several questions about our family, told me that he had been informed of all things about our establishment by Dr. Buchanan (Surgeon), and expressed the highest satisfaction with the whole. He had, a week before, sent me a great number of copies of inscriptions, and other curious documents, in the Kurnata and Tamiul languages, collected by Dr. Buchanan in Mysore, for me to translate."

But whatever might be Carey's feelings with regard to patronage of this nature, its tendency was decidedly very valuable to the interests of the Mission. Where so great a man had set the fashion for an appreciation of the Missionary objects, a whole host of the "little great," but largely monied, men, could not but follow, and an immense sum of money which filled the subscription-box of the Mission, immediately afterwards, was the result.

However, the Government at home, and the authorities in India, did not seem to go hand in hand in fostering the Mission, for, we learn, in the course of a short time, that certain of Carey's agents had been obstructed in their dissemination of the gospel in various parts of the country whither they had been sent. Albeit, the rigour of Government was abated; but whether the latter saw their error in a political sense, or, whether they listened to the voice of interest and influence, is not apparent.

A few months after the death of Mrs. Carey, which occurred in 1808, when she was at the last stage of insanity, her widower united himself to Miss C. G. Rumohr, of whom he says:—

"She is a person about my own age, and of whose piety and attachment to the Mission, I have strong proofs. She is of a noble family in the Dutchy of Keswick. Her mother was the Countess of Alfeldt. She has a sister living, who is the wife of the Chevalier Warnstedt, Chamberlain to his Danish Majesty, and ranger of the royal forests."

This lady died in June, 1821. And no record is made in the memoir of any particularly important events, connected with Carey, further than we have noticed, during this lengthy period; save that the Mission tranquilly advanced in reputation and influ-



ence. There were now many other denominations employed in similar duties, who happily all worked together, in connection with the parent Society.

Worn down with the load of labour he threw upon himself, and by frequent attacks of illness which supervened, Carey supported an arduous existence up to the year 1820, when he fell a victim to the cause of religion in his 70th year. We refer the reader, for the particulars of his last illness, to the following extract from Mr. Jonathan Carey's "Notice of his father's life, &c."

"As connected with the Serampore mission, my father was principally occupied in translating, and in preaching there and in Calcutta.

"The numerous translations he completed are known to the public. The chief part of his time was devoted to this great work; and to render his translations correct, he spared no labour, and was assiduous in obtaining and improving all the information he could.

"He was also frequently employed in revising and correcting the translations of others; and numerous were the applications he received for his opinion on the construction and meaning of terms and passages in works passing through the press; all which friendly aid he cheerfully rendered, though his time was much occupied. \*

"Besides the translations connected with the Serampore mission, my father had also those to attend to connected with his duties in the college of Fort William, and the translation, likewise, of the Government regulations, all which went through his hands, without hindering his work in the Mission; and such was the system and steady perseverance he observed, that he never allowed one duty to interfere with another, and yet all received a full attention.

"In addition to the translations, he was also engaged in compiling dictionaries, grammars, and other works, some of them tasks of a most arduous nature.

"In discharging his work as translator, my father acquired habits of close and steady application, which enabled him to accomplish much. So scrupulous was he of his time, that, if overcome by sleep, he would double his vigilance to regain what he had lost. In Calcutta, he formerly attended three days in the week in the discharge of his duties as professor; and such was his incessant attention to his studies, that three pundits were obliged alternately to attend him through the day; one in the



morning before breakfast, who was relieved by another after breakfast, occupying his time till his college duties required his attendance. Upon his return from college, another attended him for the afternoon.

“ With reference to the internal management of the affairs of the Serampore Mission, Dr. Carey could not, from his varied occupations, bestow much time, and, with some exceptions, he depended on what was brought before him by his colleagues, and implicitly confided in them.

“ In objects of nature my father was exceedingly curious. His collection of mineral ores, and other subjects of natural history, was extensive, and obtained his particular attention in seasons of leisure and recreation. The science of botany was his constant delight and study; and his fondness for his garden remained to the last. No one was allowed to interfere in the arrangements of this his favourite retreat; and it was here he enjoyed his most pleasant moments of secret devotion and meditation. The arrangements made by him were on the Linnæan system; and to disturb the bed or border of the garden was to touch the apple of his eye. The garden formed the best, and rarest botanical collection of plants in the east; to the extension of which, by his correspondence with persons of eminence in Europe and other parts of the world, his attention was constantly directed; and, in return, he supplied his correspondents with rare collections from the east. It was painful to observe with what distress my father quitted this scene of his enjoyments, when extreme weakness, during his last illness, prevented his going to his favourite retreat. Often, when he was unable to walk, he was drawn into the garden in a chair placed on a board with four wheels.

“ On this science (botany) he frequently gave lectures, which were well attended, and never failed to prove interesting. His publication of ‘Roxburgh’s Flora Indica,’ is a standard work with botanists. Of his botanical friends he spoke with great esteem, and never failed to defend them when erroneously assailed. He encouraged the study of the science wherever a desire to acquire it was manifested.

“ In all objects connected with the general good of the country, Dr. Carey took an active part. He prepared, under the direction of a noble lady then resident in India, the prospectus of an agricultural society in the East; to which was united an horticultural society, of which he was a member, and in the affairs of which he took a lively interest, till his last



illness; and he had the gratification to see that the society became at length the most flourishing and interesting society in the east; in which gentlemen of the first respectability, from all parts of the country, united; and which still continues an eminently useful and flourishing institution.

"In the Asiatic Society he also took an active part; and for many years, up to his death, was one of the members of the committee of papers, and afforded considerable information, and in various ways promoted the general interests of the institution. At his death the Bishop of Calcutta, in a speech, passed the highest encomiums on the character and talents of Dr. Carey; and a minute was recorded, expressive of the loss sustained by the society, and their regret at the removal of one of its most excellent members. .

"In objects of benevolence my father took a prominent part. He, in conjunction with other gentlemen of the civil service, memorialized Government for the abolition of infanticide; which object he saw realized, by Government prohibiting the offering of children to the Ganges at Saugor, where a guard to the present day is sent to prevent a recurrence of the horrid rite.

"He was also among the number of those who first urged Government to abolish *suttee*, or the burning of widows with the corpses of their husbands; and his assistance was afforded, under different administrations, in throwing light on the Hindu writings on the subject, in order to induce Government to abolish the rite; and he lived to see his hopes realized, in the step which Government ultimately took in putting a stop to the *suttee* throughout all the East India Company's dominions.

"In like manner, he also in various ways represented the evil tendency of the pilgrim-tax, and the aid afforded by the Bengal Government towards the repairs and other expenses of the idolatrous temples at Juggernaut and other places of resort for pilgrims; and these exertions, though limited, he was gratified to find were more extensively taken up by others, and that they were likely eventually to prove successful.

"On the occasion of Government new-modelling the College of Fort William, he was pensioned, and his department, with others, abolished; whereupon the natives, who were for many years under his eye and direction, came in a body to condole with Dr. Carey. On seeing them, he was greatly affected: recollections of past scenes revived; all he could do was to



weep, which brought tears from their eyes ; and, recommending them to submit to the dispensations of Providence, he separated from them.

“ To all classes of people he was mild and tender in his deportment ; and with those who were of the ‘ household of faith,’ he particularly sympathized in all their sorrows and joys ; and relieved the wants of the distressed, as far as he was able, out of the small sum he reserved to himself ; and if this failed, he never let them go without his advice and condolence,

“ He was naturally of a lively turn of mind, full of spirit ; and in society was interesting in his remarks and communications. and conveyed much information on almost all subjects. He was moderate in his habits, rising early, and going to bed early.

“ In principle, my father was resolute and firm ; never shrinking from avowing and maintaining his sentiments. He had conscientious scruples against taking an oath ; and condemned severely the manner in which oaths were administered, and urged vehemently the propriety of altogether dispensing with them.

“ In entering upon the last scene of my father’s life, his illness and death, I will just observe that during his residence in India he had several severe attacks of illness, but on the whole enjoyed better health than he did in England. The duties connected with the college of Fort William afforded him a change of scene, which relieved his mind, and gave him opportunities of taking exercise, and conduced much to his health. During the several years he held the situation of Professor to the College, no consideration would allow him to neglect his attendance ; and though he had to encounter boisterous weather in crossing the river at unseasonable hours, he was punctual in his attendance, and never applied for leave of absence. And when he was qualified, by the rules of the service, to retire on a handsome pension, he preferred being actively employed in promoting the interests of the College, and remained assiduously discharging his duties, till his department was abolished by Government. The business of the College requiring his attendance in Calcutta, he became so habituated to his journey to and fro, that at his age he painfully felt the retirement he was subjected to when his office ceased. After this circumstance, his health rapidly declined ; and though he occasionally visited Calcutta, he complained of extreme debility. This increased daily, and made him a constant sufferer ; until at length he was not able to leave his house.



“ He had just finished a new edition of his translation, in the Bengal language, of the new testament, and then remarked that his work was done, that he had nothing more to do but to wait the will of his Lord. On more than one occasion, his approaching end was immediately expected; but he revived. So much was he at length reduced, that he could not turn himself on his bed. For several weeks all that he could articulate was, yes or no, to questions put to him. On the night before his death, he breathed hard and was restless: but there were no particular symptoms of dissolution. In the morning, very early, he continued the same; but as the day dawned, it was evident he was sinking. He remained in this state till about seven o'clock, when his spirit took its flight to the regions of eternal bliss, where sin, sorrow, and suffering can no more affect him. The next morning his remains were followed to the Serampore Mission burial-ground by a large train of mourners.”

We subjoin a few Remarks on the Character and Labours of Dr. Carey, as an Oriental Scholar and Translator. by H. H. Wilson, Esq., M. A., F. R. S.

The labours of Dr. Carey in oriental literature were subordinate to the great object of his sojourn in India, and were devoted especially to the purpose of facilitating the acquirement of various Indian languages, with a view to their employment in the translation of the holy scriptures, and in maintaining with the natives that colloquial intercourse which is the readiest and surest mode of influencing their feelings and opinions.

“ At the time when Dr. Carey commenced his career of oriental study, the facilities that have since accumulated were wholly wanting, and the student was destitute of all elementary aid. With the exception of those languages which are regarded by the natives of India as sacred and classical, such as the Arabic and Sanscrit, few of the Indian dialects have ever been reduced to their elements by original writers. The principles of their construction are preserved by practice alone, and a grammar or a vocabulary forms no part of such scanty literature as they may happen to possess: accustomed from infancy to the familiar use of their vernacular inflexions and idioms, the natives of India never thought it necessary to lay down rules for their application; and even in the present day they cannot, without difficulty, be prevailed upon to study systematically the dialects which they daily and hourly speak. Europeans, how-



ever, are differently circumstanced. Dr. Carey's Sanscrit grammar was the first complete grammar that was published; his Telinga grammar was the first printed in English; his Karnata and Mahratta grammars were the first published works developing the structure of those languages; his Mahratta dictionary was also one of the first attempts in the lexicography of that dialect; his Punjabi grammar is still the only authority that exists for the language of the Sikh nation; and although he must concede to Halhed the credit of first reducing to rule the construction of the Bengali tongue, yet by his own grammar and dictionary, and other useful rudimental publications, Dr. Carey may claim the merit of having raised it from the condition of a rude and unsettled dialect to the character of a regular and permanent form of speech, possessing something of a literature, and capable, through its intimate relation to the Sanscrit, of becoming a refined and comprehensive vehicle for the diffusion of sound knowledge and religious truth.

"The first of the Indian tongues to which the attention of Dr. Carey was directed was naturally that of the province which was the scene of his missionary duties, Bengal. He soon found, however, that a thorough knowledge of Bengali was unattainable, without a conversancy with Sanscrit, which he always regarded as 'the parent of nearly all the colloquial dialects of India,' and 'the current medium of conversation amongst the Hindus, until gradually corrupted by a number of local causes, so as to form the languages at present spoken in the various parts of Hindusthan, and, perhaps, those of some of the neighbouring countries.' He commenced the study of Sanscrit, therefore, at an early period of his residence, and his labours in it have placed him high amongst the most distinguished of our Sanscrit scholars. It appears also that he was early induced to acquire a knowledge of Mahratta.

"Upon the first establishment of the College of Fort William, by Marquis Wellesley, in 1800, the known attainments of Dr. Carey pointed him out to the Government of India as a fit person to be attached to the new institution, and he was accordingly engaged to give tuition in the Sanscrit, Bengali, and Mahratta languages, with the title of teacher; his own humility disclaiming the more ambitious designation of professor, at least until the year 1807, when he submitted to be so entitled.

"The Sanscrit grammar of Dr. Carey is a work of immense extent and labour. It forms a quarto volume of more than a



thousand pages. It is divided into five books; the first treats of the letters and of their euphonic combinations; the second, of declension; the third, of conjugation; the fourth, of the formation of derivative nouns; and the fifth, of syntax.

“ Dr. Carey never engaged to any considerable extent in the prosecution of Hindu literature unconnected with philological research. The only published work in which he is known to have been concerned is the text of the epic poem, the *Ramayana*, which he edited, and to which he subjoined a translation, in concert with Dr. Marshman.

“ The remaining contributions of Dr. Carey to Sanscrit literature are less easy to be defined. Mr. Colebrooke has acknowledged his assistance in conducting the *Amara Kosha* through the press at Serampore; and the same gentleman, in his introductory remarks to the edition of the *Hitopadesa*, ascribes to Dr. Carey the office of editor.\* In this publication, the text of the *Hitopadesa*, the original of Pilpay's Fables, was first printed upon a careful collation of six manuscript copies; and although many errors require correction, yet they are not more than might have been expected from the variations and defects of the manuscripts, and the novelty of the task, it being the first Sanscrit book ever printed in the Devanagari character. The same volume comprehends an epitome of a collection of Tales, called the *Dasa Kumara*, and the three *Satakas*, or Poetical Centos of Bhartri Hari. Besides this acknowledged aid to the cultivation of Sanscrit, it seems probable that Dr. Carey assisted Mr. Ward in his *Account of the Hindus*, especially in the abstracts and translations of the philosophical works there given. It was understood, also, that he had prepared for press some translations of treatises on the metaphysical system called *Sankhya*; but these were never published. It was not in Dr. Carey's nature to volunteer a display of his erudition, and the literary labours already adverted to arose in a great measure out of his connexion with the College of Calcutta, or were suggested to him by those whose authority he respected, and to whose wishes he thought it incumbent upon him to attend. It may be added, that Dr. Carey spoke Sanscrit with fluency and correctness.

“ The Bengali grammar of Dr. Carey explains the peculiarities

\* “ The Editor, Mr. Carey, undertook the publication on a suggestion from the council of the College of Fort William, and under the patronage of Government.”



of the Bengali alphabet, and the combination of its letters ; the declension of substantives, and formation of derivative nouns ; the inflexions of adjectives and pronouns ; and the conjugations of the verbs : it gives copious lists and descriptions of the indeclinable verbs, adverbs, prepositions, &c., and closes with the syntax, and an appendix of numerals, and tables of weights and measures. The rules are comprehensive, though expressed with brevity and simplicity ; and the examples are sufficiently numerous and well chosen. The syntax is the least satisfactorily illustrated ; but this defect was fully remedied by a separate publication, printed also in 1801, of Dialogues in Bengali, with a translation into English, comprising a great variety of idioms and phrases. This work, also, has passed through several editions ; and, independently of its merit as a help to the acquisition of the language, it presents in many respects a curious and lively picture of the manners, feelings, and notions of the natives of Bengal.

“ A more laborious and important publication was effected at a later period by Dr. Carey, in his Bengali and English dictionary. The first volume was printed in 1815 ; but the typographical form adopted being found likely to extend the work to an inconvenient size, it was subsequently reprinted in 1818 : a second and third volume appeared in 1825. These three volumes comprehend above two thousand quarto pages, and about eighty thousand words ; a number that equally demonstrates the copiousness of the language, and the industry of the compiler. Besides the meanings of the words, their derivation is given wherever ascertainable.

“ In addition to these elementary works, which were especially his own, Dr. Carey took an early and active part in the promotion and preparation of works intended to facilitate the acquisition of the Bengali language. This duty was most urgent in the early period of his career, when Bengali works, as we have seen, had scarcely any existence, even in manuscript, and printing was utterly unknown to the natives of Bengal.— Various translations from Sanscrit into Bengali, as the *Hitopadesa*, the *Buttees Sinhasan*, and others, were prepared and printed in 1801. In 1802, the early translations of the *Ramayana* and *Mahabharat*, were published ; and from that time to the present day many useful works in Bengali, as well as in other languages, have issued from the Serampore press, to most of which Dr. Carey contributed encouragement or aid. The



indirect promotion of Bengali literature, effected by the example and impulse of the press of Serampore, has been still more important, and of late years has rendered it less necessary for the directors of that establishment to originate compositions in the language of Bengal.

“ Of a less prominent, but equally useful character, were the labours of Dr. Carey in other Indian dialects. The political relations that arose between the British Government and the Mahratta States, about the date of the institution of the College of Fort William, recommended the introduction of the study of the Mahratta tongue, and to Dr. Carey was assigned the office of teaching it. In this, as in the other dialects, elementary books were wanting, and Dr. Carey, to use his own expressions ‘thought it his duty to do the utmost in his power towards facilitating its acquisition by attempting a grammar.’— A Mahratta grammar, he states, had been written many years before, in the Portuguese tongue, but he was not able to procure a copy, and was, therefore, obliged to reduce the language to its rudiments for himself. This work was published in 1805, and five years afterwards he printed a Mahratta dictionary, containing ~~about~~ ten thousand words. Of late years considerable attention has been paid to the cultivation of Mahratta in the Presidency of Bombay, and more perfect and elaborate grammars and dictionaries have been given to the public. To Dr. Carey, however, belongs the merit of having set the example, and of having, under the most unpropitious circumstances, first rendered the language attainable by European students.

“ The same merit applies to his grammars of the Telinga, Karnata, and Punjabi dialects. The Telinga was the first published grammar of that tongue in English. For the Karnata grammar, also, no model existed, nor was there any for the Punjabi. The two former have been succeeded by works prepared in the countries where these languages are spoken, and with the benefit of more protracted and regular cultivation; but the Punjabi grammar of Dr. Carey is still the only medium through which a conversancy with the dialect spoken between the Indus and the Setlej, is to be obtained. These works are all characterized by the same features, succinctness and perspicuity; and are excellently adapted to the wants of young students.

“ In addition to the works which were intended to facilitate the acquirement of the vernacular languages, Dr. Carey took



an active interest in every attempt to make India familiarly known, both to its rulers and its people. He was an early associate of the Asiatic Society of Bengal, and furnished one or two instructive papers to the *Researches*; and he was a diligent contributor to the Agricultural Society of Calcutta, of which he was one of the founders, and for some time president. Besides a valuable catalogue of the plants of the Company's Botanical Garden at Calcutta, which he printed in 1814, Dr. Carey was engaged for several years in the publication of a *Flora Indica*, in concert with Dr. Wallich: two volumes, only, of this work have appeared. He had contemplated other works on the natural history of India, and particularly on its ornithology, with which view he had at one time formed a collection of birds, that he might observe their living habits. But his public duties, his literary pursuits, and the task to which his best energies were dedicated, prevented him from accomplishing this desirable object. There can be no doubt that he also bore a part in the periodical publications of the Serampore press, particularly in the journal denominated "*The Friend of India*," which was published monthly or quarterly for several years at Serampore, and in which, questions of high importance to the moral and political improvement of British India were discussed with ability, experience, and judgment.

"These various pursuits were, however, all secondary to the main end of multiplying and disseminating translations of the Holy Scriptures, which has been steadily pursued by the Society of which he was the chief ornament for about forty years. It appears that Dr. Carey commenced his labours in this department before 1794,\* and that he had completed a version into Bengali of the whole of the New Testament, and of part of the Old, by 1796. The former was printed and circulated in 1801, and a translation of the Psalms and of the prophecies of Isaiah was printed in 1803. His next undertaking was a Sanscrit translation, in which the new Testament was printed in 1808; the Pentateuch in 1811; the historical books in 1815; and the hagiography in 1816. Subsequently, improved editions of both versions were taken in hand by the original translator, and a revised version of the Bengali was prepared and published in 1832.† Considerable advance had also been made in the

\* Tenth Memoir of Translations by the Serampore brethren.

† This forms the third edition of part of the Old Testament, and the fourth of the rest, the sixth edition of the New Testament, and the seventh of the gospels. —Tenth Memoir, p. 7.



revisal of the Sanscrit translation, and the Pentateuch and historical books had been printed. It is to be hoped, therefore, that Dr. Carey may have been spared to put the finishing hand to the work, at least in manuscript, and thus wound up his pious labours and his well-spent life together.

### THE PRESENT STATE OF WESTERN AUSTRALIA.

We gather from a report, recently prepared on the subject, and ordered by authority, the following interesting and useful particulars of the present state, products, &c. of Western Australia.

The expense of grinding and dressing a bushel of wheat of 60 lbs. at the horse mills established on several farms, is 3s. ; at the water mills at Perth, 2s. 6d. ; receiving 46 pounds of 20 per cent. flour, with 12 pounds of bran and pollard, and allowing two pounds for waste. This apparent high price is consequent on the imperfect construction of the mills, the expense attendant on the keeping of horses, and the high rate of labour.

There are, at present, established on various farms on the river, four horse mills, and one wind-mill ; at Perth, two water mills and one wind-mill, in a forward state of erection. There is, also, an excellent water-mill, on a large scale, in progress, which, it is confidently expected, will, in another season, work at a greatly reduced price.

Fencing on an extensive scale, consisting of four or five rails, ditch, and ditch and rail, has been effected in several instances ; but, in general, great attention has not been paid to this branch of agriculture.

Farm labourers have become scarce in consequence of some having left the colony, but principally owing to their having become proprietors or tenants of small farms on the banks of the Swan and at York. A very considerable number of this class of persons on whom the farmer could formerly depend for work at all times, having completed the term of, or being otherwise emancipated from the conditions of their indentures, occupy farms varying in extent from 20 to 400 acres, and are likely to become in a short period of time the principal grain-growers of the colony ; leaving, however, the original proprietors in a state of considerable embarrassment in procuring substitutes. The present rate of wages is, for agricultural labourers, 4s. per diem, or with board from 2l. to 2l. 10s. per month : carpenters, 7s. to 8s. per diem ; and blacksmiths, nearly 15s. per diem. Shepherds



also are much wanted. We think that steady men of those classes, to the number of one hundred and fifty, would readily find employment.

Salt provisions continue to be reported, and will be required for some time on a gradually reduced scale. We have every reason to believe that we have made sufficient grain (our own growth) for the consumption of the colony for the year, and we deem ourselves at present beyond the necessity of applying to a foreign market, either for our own population or the troops.

Several farms are rented, and, as nearly as we can estimate, returning about 10 per cent. for capital invested. Alluvial lands, in many places, let for from 1*l* to 1*l* 5*s* per acre.

A brewery has recently been established on a small scale at Perth, supplying very good beer at a moderate price. A small kiln is also in progress on the Swan, which promises well; from which we anticipate, in a year or two, little or no spirits or wine will be required on the farms.

The weight of the best wheat grown this season is per bushel 60*lbs.*; that of inferior kinds, 60 to 62*lbs.* per bushel.

Mr. Drummond, whose experience in the practice and science of horticulture and botany extends through an uninterrupted space of between thirty and forty years in Europe, supplies the committee with the following results of his observations during his residence in the Colony from its commencement to the present moment.

“The experience of more than six years since the formation of the colony proves that no country can be more favorable to horticulture. The abundant and regular supply of rain which falls from May to November brings all sorts of vegetables, which grow in the open air in England, to perfection here on the uplands; but it is the great number and peculiar nature of the springs of water, and the soil and situations on which they rise, which give the settlers at Swan River advantages which, I believe, are not to be found in any other British colony, of equal temperature.

“The Darling Range of Hills, in the Swan district of the colony, afford many beautiful situations for cultivating the vine, and olive, they abound with springs of water, which generally rise between the ironstone and the granite, the latter of which generally forms the base of the hills. Of these situations the settlers will soon be able to avail themselves; but on the immediate banks of the Swan, between Guildford and Freemantle, there are several hundred acres of springy land; the



soil about the springs is an accumulation of vegetable mould, varying from one foot to several yards in thickness, which when cleaned and brought into cultivation, produces extraordinary crops of all sorts of vegetables in the dry season. The common sweet water grape, planted in soil of this description in the Government garden, at Perth, made shoots in one season (the second after planting) over 30 feet; from the extremity of the plants growing in opposite directions, the distance was 63 feet six inches. Of this sort of grape, between plants and cuttings, mostly the produce of two plants in the Government garden, I think there is enough in the colony to plant 20 acres. Besides the sweet-water grape, we have the muscadel, the white cluster, and a white seedling grape, all of which have borne fruit abundantly. Of figs, we have a brown one from the Cape of Good Hope, and a white one from India, which bear fruit abundantly from Christmas to the end of May. We have also many peach trees that bear abundance of fruit; but being mostly seedling, the fruit is not of the very best description. The olive trees introduced by Captain Mangles, R. N. thrive well, but have not as yet produced fruit. The banana has ripened very fine fruit during several years in the Government garden. Melons, water-melons, cucumbers, &c. grow here in such abundance, that they are already the cheapest food we can get for pigs and poultry; even the finest Persian melons, Ispahan, Housance, &c. produce a greater weight of fruit on the same extent of land (springs) than would be the produce of potatoes or turnips in England. By means of upland and springy land, or, in other words, winter and summer gardens, we can have almost all sorts of vegetables in perfection throughout the year. The potatoe, for instance—I planted 10 lbs of potatoes in February, which produced in June following one hundred weight; these were planted again in October following, and produced in December—only 11 months from the first planting—1500 cwt. and some pounds. For the last 3 months potatoes have been selling at 1½d per lb. Last year, colonial onions, equal in size and quality to the best Spanish or Portugal onions, were selling at 20s per cwt., and this year they are likely to be much cheaper.

In addition to the foregoing report on horticulture, Mr. Drummond has collected specimens of six varieties of gums.

“I send you samples of six sorts of gums that may be collected in considerable quantities at Swan River, if there should be any demand for them in England. The gum market, No. 1, is the production of our common gun-wattle (an acacia)



it appears to me to have all the properties of the best gum Arabic. No. 2, is produced by a species of *Hakea*, with leaves like the holly, which is common in the colony. No. 3, is the produce of the *Nuytria floribunda*; if found to answer instead of the gum Arabic, I think it may be collected at less expense than the other two gums which resemble it. No. 4, is the produce of our red gum tree, which, I believe, differs from the Sydney red gum. No. 5, is the produce of the Swan River mahogany (*Eucalyptus Robusta*?) They are sent to know if they will answer as substitutes for gum kino. No. 6, is the common blackboy gum (*Xanthorrhoea*) which, I have heard, is exported from Sydney. The only other gum which I know of, that could be collected in any considerable quantity, is the gum of the palm, which, as well as the three first sorts, is eaten by the Natives as part of their food.

“ The following vegetables thrive in this colony most abundantly:—Turnips, cabbages, cauliflowers, radishes, lettuce, carrots, onions, potatoes, peas, kidney beans, beet, &c. &c. These vegetables are highly productive, equal in size, and generally superior in flavor to those grown in England. Long pod and Windsor beans are not productive. The various kinds of pot-herbs, such as thyme, parsley, &c. thrive extremely well. The various kinds of melons, such as the rock, cantelope, romana, and water, bear fruit abundantly, and are of the first quality as to size and flavor. Cucumbers grow remarkably fine and good; and pumpkins and gourds, are of large size and very productive.

“ As regards fruit trees, they are not at present very numerous, those that were introduced at first in the settlement were, for the most part, lost to the colony through want of care and ignorance of the nature of the country, and want of confidence on the part of individuals possessing them, as to the capabilities of the colony, for producing the requisites for the support and comfort of man. These prejudices experience has happily removed; no one here now doubts the capabilities of the colony—he is well aware that it can produce whatever is requisite for the welfare of the human race. The fruits most plentiful at present are, peaches, figs, and grapes; it is not possible for any fruits to be doing better than these are, as regards their productiveness, quality of fruit, and healthy growth. The almond hitherto has not done well; the walnut tree thrives well. Within the last year or two, a considerable number of apples, pear, plum, orange, lemon, guava, and other trees, have been



introduced; these are in a healthy and thriving state. The banana is also introduced, and, where sheltered from boisterous winds, promises to do well: particularly those planted under the protection of Mount Eliza and the high shelving land of Perth, several of which are now bearing fruits. The hop-plant is also doing well in several places.

“ The price of vegetables at the time of their first production after the settlement of the colony, was very high. The first cabbages were sold at 2s 6d each; they are now worth one penny to one penny half-penny each, of large size, full-hearted, and of excellent quality. Potatoes were at first sold at 1s 8d, per lb.; the price is now three-halfpence. Peas were 2s.\*per quart (unshelled;) they were sold during the present season at 1s 6d per peck. Onions three years ago, were worth 1s 6d per lb.; they are now one penny. The first water melons sold as high as 10s 6d each; they may be now be purchased for 2d to 3d each. Rock melons were 5s each; their present price is 6d., cucumbers that at one time produced 9d are now sold at one penny each. Two years ago, the first grapes were sold at 2s 6d each; their present price is 9d. • Peaches, two years ago, (the first offered for sale) were 1s each; they are now sold for 2d each; figs were four for a shilling; they are now 6d per dozen. •

“ Perth is now at all times abundantly supplied with vegetables; and it will not be any great length of time before it is equally well supplied with fruit, as a great number of fruit trees have recently been introduced, and they are so easily propagated by cuttings in this colony. Cuttings, in many instances bear fruit the second year after planting, and abundantly the third of their growth.—A great variety of grape vines are now introduced into the colony; those introduced by Mr. L. Leake, and planted under Mount Eliza, are of very superior quality, both as regards the size and flavor of the fruit. There can be no doubt but this will prove a fine country for the growth of the vine, soil and climate being both in its favor. Fruit trees of most kinds are of much more rapid growth in this colony than in England. The peach trees in the Government garden began to bear fruit when they were little more than two years old (they were raised from the stone) and had attained a height of from eight to ten feet, and other trees grew with equal rapidity. •

“ We have soils and climate well adapted to their growth—a climate during the winter season, sufficiently cool to bring the greater part of those vegetables common to England to the



greatest perfection, and during the summer season sufficiently warm to bring to the greatest maturity, fruits common to the south of Europe, and likewise some of a tropical character."

The progress and comparative state of the supply of provisions from the early years of the colony to the present time, form another topic of considerable interest. Mr. C. Smith, who has been engaged since the year 1829, in the supply of fresh meat to several of his Majesty's ships, and to the troops of the garrison, writes of this subject,—

"In the latter part of the year 1829, 1830, and 1831, a great number of sheep and cattle were imported from Van Dieman's Land, I should say not less than 3,500 of the former; but in consequence of the general opinion then entertained that there was little land capable of grazing stock (the land to the east of the Darling Range not having been then explored) nearly the whole of them were killed, to supply the ships of war during those years moored in Cockburn Sound, viz. the *Sulphur Cruiser* and *Success*, which I contracted for at 9d per lb., the price to private individuals being at the same time 1s. At the same time, Mr. Lord and Mr. Bryant imported a number of horned cattle, I think about 60 head, a great part of which strayed away into the bush, where they still continue, many about the unsettled upper country of the Murray River; the rest were killed for the men-of-war, at 1s per lb. The government at this time had a herd of cattle, which they occasionally killed and sold at the same price. The quality of the meat was very indifferent, the sheep being nearly all ewes, and in lamb, and in poor weakly condition, from scab and effects of the voyage; average weight about 30 lbs each. The horned cattle were all poor, having been recently landed. In the year 1833, a few good wether sheep were landed from the *Dart*, from Sydney, and were sold for 30s each, the meat being sold at 1s per lb. At this period a few settlers were enabled to supply an increase of sheep and goats, for which the butcher would give 1s 3d per lb, for retailing it again at 1s 6d. The contract for the supply to the troops was taken at 1s 4d. The colonial bred-stock good. In 1834, a considerable number of horned cattle were imported by Captain Taylor and sold at 16lb per head. In 1835, the retail price continued to be from 1s 4d to 1s 6d per lb, the market being now principally supplied with colonial stock. The contract price for the last quarter of this year for the troops was 1s 2d per lb. The colonial bred meat is of excellent quality and flavor. The average weights of lambs 30 lbs, and wethers



45 lbs each. The supply of mutton up to the present period has been tolerably abundant. Beef is abundant, but the demand too small to enable the butcher to kill with a certainty of sale."

In addition to the above information, it may be observed that, at several periods during the first three or four years of the colony, it was almost impossible to obtain fresh meat at any price; at Freemantle, where, however, the want was generally relieved by an abundant supply of fresh fish, the price of meat was frequently 1s 8d per lb, and sometimes 2s. At one period of severe privation, such was the want of food, that condemned salt beef, which had been buried as unfit for food, was disinterred, and actually sold for 1s per lb.; this was in the year 1831. A tolerable organized party of hunters, with several excellent dogs, established themselves in the year 1834, within a few miles of Freemantle, and furnished a good, although not a constant supply of Kangaroos, ducks, and teal,—the price of the former gradually diminishing, as the supply of mutton and beef increased, from 1s 3d to 1s per lb. Many good dogs of a large size, bred, I believe, between the hound and mastiff were imported from ~~Vand~~Dieman's Land, or reared in the colony, these have been sold occasionally at 30l. each, and eagerly purchased by many of the settlers, who, by this means have been enabled to supply their establishments with fresh meat at a small expense. The supply of fish is generally good as well at Perth as at Freemantle, a shilling or eighteen pence being sufficient for the purchase of a large dish.

The supply of bread or flour has been equally precarious and fluctuating with that of other descriptions of provision; at times the market over-stocked with imported flour, selling at 2d, at other times, difficult to be bought at 1s per lb. At one period a substitute for bread was sold at 1s per lb, composed of a small quantity of bad flour, rice, and potatoes. For the last fifteen months, however, the supply has been abundant, and the price steady—generally from 3d to 4d per lb.

"The number of artizans at present in the colony is about 95, one-third of which, I calculate, are employed (although not constantly) in their respective trades; the remaining two-thirds are variously employed. Some of the more careful are turning their attention to agricultural pursuits, several small farms having been recently commenced by persons of this description; whilst the more unfortunate or less provident earn a precarious subsistence by fishing, or other laborious employ-



ment. The cause of this, in a great degree, no doubt, arises from the want of employ in their various callings, although, I think, many find it more to their advantage, or, rather, will find it, to improve land, breed stock, &c., and many thus employed will not, in all probability, return to the mechanical arts, or make them only a secondary consideration. Labourers are much scarcer than mechanics; but, should any public works of magnitude be required, or the tide of emigration return in our favour, with married emigrants, I doubt if there would be found a sufficient number of artizans,—but certainly there would be found a great deficiency of labourers, whose numbers are already much diminished, commencing farmers on their own account.

“ The price of wages to mechanics, is from 6s to 8s per day. The amount of Government contracts, I think, to be about 3,500*l*, within the last two years, not including the Governor’s residence, or the contract, recently signed, for a Court-house, at Perth, and other buildings at King George’s Sound.

“ The value of the buildings in Perth and Freemantle, may fairly be estimated at 30,000*l*. This amount does not, I should think, much exceed one-half of the actual cost, and if the improvement in garden-fencing, &c. be taken into consideration, it will fall far short of the half expended. In this amount, I have not taken into consideration the towns, although, without their limits, or the public buildings, the estimates for which were, I believe, nearly 13,000*l*. There is also a considerable capital invested in boats and barges, small sea-going craft, the amount of which I have not been able to ascertain.

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#### THE POSSIBLE IMPROVEMENT OF INDIAN AGRICULTURE, AND ITS PROBABLE CONSEQUENCES.

The importance of agriculture to India, although generally acknowledged, is, in reality, but little understood. Its importance, however, may be inferred from one simple fact; namely, that while the agriculture of Britain employs about *one-third* of its inhabitants, that of India employs nearly *four-fifths* of its numerous millions. Hence, the improvement of its agriculture, would be of immense benefit to India. If the improvement of agriculture in Britain be such as to have *doubled* the produce of the land within the last seventy years, and the profit or prosperity consequent thereon have flowed forth on *one-third* of the inhabitants of Britain; an equal improvement



of agriculture in India, could it be effected, would contribute to the wealth and increased comfort of *four-fifths* of the inhabitants of India. It also follows as an unavoidable consequence, that if, by any means, the agricultural produce of Hindoosthan could be doubled, the *revenue*, of the country, which arises chiefly from the land, would be nearly doubled too, for it is become almost an axiom among the natives, that all the land produces, beyond what will suffice for the support of its cultivators, Government are sure to obtain in some way or other. If this, then, be a fact, such an improvement in the agriculture of India as would double the produce of the land, must inevitably lead, directly or indirectly, to a very large increase of its annual revenue. And we here beg leave to remark, that this is the real source of revenue to which Government ought to turn their attention. Compared with this, the resumption of *rent-free* tenures, or, more properly speaking, of *forged* rent-free tenures, although perfectly right when conducted with strict and impartial justice, and with that regard to mercy which, in numerous cases, is demanded even by humanity itself, is a very inferior thing.

In No. CXXV<sup>th</sup> of the *Edinburgh Review*, there is an excellent article on "The Progress and Present State of Agriculture in Great Britain," containing facts of the highest importance to India as well as to England. It demonstrates that the produce of agriculture, in the course of about seventy years, has been more than doubled both in England and Scotland: yet who, that had beheld either of these countries in 1760, would have supposed that there was any thing *very materially* deficient in their agriculture? Had such an idea been hinted, might it not have been replied, can these countries be in a half-cultivated state after the reign of an Elizabeth? What! after the glorious revolution of 1688, and the accession of the House of Brunswick, is it possible to suppose England only a *half-civilized, half-cultivated* country? But, if this were then the case with Britain, let any one look around in Bengal, and, after noticing the quantity of land never yet brought into cultivation, the proportion passed over in what is professedly cultivated, while merely an eligible bigah or two is picked out to be rented at the caprice of the cultivator, and let him then say what we are now to term Bengal, to say nothing of Behar and Hindoosthan. Do these countries present that appearance of agricul-



tural cultivation, which both England and Scotland exhibited prior to the year 1760? Yet this article in the *Edinburgh Review* fully shews, that the land in both Kingdoms yields at the present time *more than double* the quantity of food, both for man and beast, which it produced prior to that period.

The writer of that article sets out with stating, that, in 1755, the population of England and Wales amounted to 6,259,707, and that of Scotland to 1,265,380, which, added together, made a total of 7,525,087; say, in round numbers seven millions and a half. But, in 1831, the population of Scotland, England, and Wales, was found to amount to 16,539,318. in round numbers, sixteen millions and a half, "an increase unparalleled in any other European country; and to be matched only by the increase which has taken place in the United States;" and we suspect, not even by the increase there, were all deducted, with their posterity, who have emigrated thither from Great Britain, Ireland, and the various countries of Europe, in the last half century.

If the population of England and Scotland has increased, from seven millions and a half, to sixteen millions and a half, exhibiting a clear increase of *nine millions* in this period, which every reader will see is more than double the number in 1755, only two questions remain to be asked,—are these fed, and as well fed, at the present moment, as were the former seven millions? And, if they be, are they thus fed from the produce of the United Kingdoms, and not from corn imported from other countries in Europe.

In reference to this, "Mr. Charles Smith" is quoted as "the well-informed author of the tracts on the corn trade. He estimated the population of England and Wales, in 1760, at *six millions*, which the previous statements shew was very near the truth." In estimating the consumers of each sort of grain, and the quantity consumed by each individual, at the commonly received rate, eight bushels for the year, he deemed the quantity of wheat consumed by the wheat eaters among these six millions to be only 3,750,000 quarters, consumed by as many individuals in England and Wales, in one year; the remaining 2,250,000. he describes as feeding on barley, rye, and oats, in the following proportions:—on barley, 739,000; on rye, 888,000; on oats, 623,000.

The *Edinburgh Reviewer* adds,—“These estimates are believed to have come pretty near the mark; and they are interesting as shewing the variations that have taken place in



the food of the people. But whether (they be) accurate or not, is of little importance to our argument. There is, at all events, no doubt about the fact, that the average annual excess of the exports of corn over the imports, did not then amount to 400,000 quarters. This is a matter that does not depend upon estimate or conjecture of any kind; but upon the official returns rendered by the Custom House. But we have imported no foreign corn, or next to none, for the last four years; so that it necessarily follows, that all the vast numbers that have been added, since 1760, to the population of Great Britain, must be exclusively indebted for their subsistence to the subsequent improvement and extension of agriculture; except in so far as we may suppose this result to be modified by absorbing the 400,000 quarters of corn referred to above, and by importations from Ireland."

Relative to the latter, the imports from Ireland, the Reviewer adds;—"The imports from Ireland amount at present to about 2,500,000 or 2,600,000 quarters of all sorts of grain, of which from 1,600,000 to 1,800,000 quarters are oats. And, adding to these imports from Ireland, the 400,000 quarters exported in 1760, the total extra supply, exclusive of that derived from the improvement of the agriculture of Great Britain, may be taken at nearly three millions of quarters, of which about two-thirds are oats. Now, supposing this quantity were altogether used as food for man, it would provide food for no more than 1,200,000, or at most 1,500,000, of the nine millions added to our population since 1755 or 1760. In point of fact, however, not a single bushel of it can be fairly regarded as being so used. The horses at present in Great Britain, over and above those kept in 1760, certainly require at least from eight to ten millions instead of three millions of quarters of corn, (the quantity then required) for their consumption. And in addition to the vast increase of population, there has been a material increase in the consumption of each individual. Hence, in measuring the progress of agriculture in Great Britain, as we have done by the mere increase of population, we are very considerably indeed below the mark."

He then adds a paragraph, proving by facts, the increase in the number of horses since 1760, of which we need only trouble our readers with the following,—"We are quite sure that we are within the mark when we say that there are at this moment in Edinburgh, Glasgow, and Dundee, upwards of *twenty-five* horses for every one that belonged to them in 1760."



Another fact mentioned by the Reviewer, relative to the quantity of corn now consumed by horses, deserves peculiar notice. After quoting Mr. Charles Smith as estimating the consumption of oats, by horses, in 1700, at 2,461,500 quarters, he adds,—“ We are well satisfied from extensive enquiries made amongst those best informed in such matters, that the consumption of oats by horses in Great Britain at this moment, is above ten, if it be not above twelve millions of quarters. But taking it at ten millions only, it follows that about *five millions* of quarters more of British corn, after allowing for the entire exports from Ireland, and for the cessation of the exports in 1760, are appropriated to the feeding of horses now, than in 1760.— He, hence, justly concludes, that the improvement and extension of the agriculture of Great Britain since the middle of the last century, independently of any extrinsic supplies from Ireland, or any where else, has been so very great, that, besides enabling the country to appropriate an additional five millions of quarters to the feeding of horses, it supplies food for very considerably more than double its former population, and those, too, living in comparative ease and affluence.” He then adds, —“ The history of the world may be ransacked in vain for a parallel instance of improvement in any old settled country.”

In proof of these *Sixteen Millions* being better fed now than were the seven millions in 1700, he adduces the following facts:—“ Mr. Charles Smith tells us that out of the six millions of people in 1700, in England and Wales, 888,000 were fed on *rye*. But we are quite sure that at present there are not 50,000 who use that species of grain. The *rye*-eaters have been almost universally changed into *wheat*-eaters. Nearly the same may be said of the consumption of *barley*. In the northern counties of England very little wheat was used in the middle of the last century, and for long after. In Cumberland, the principal families used only a small quantity about Christmas; the crust of the goose-pie, with which every table of the county is then supplied, was, at that period, almost uniformly made of barley-meal. But no such thing is now ever heard of in the poorest houses. Almost every individual uses wheaten bread at all times of the year.” He adds,—“ It has been the same every where throughout the kingdom. Wheat is now the all but universal bread-corn of England; and in some of the manufacturing towns within the last few years, the use of the inferior sorts of wheaten bread has been much restricted; and is rejected indeed, by all but the very lowest and poorest classes.”



"But," says he, "great as has been the change in the quality of the food used in England during the last thirty or forty years, it is inconsiderable compared with the change that has taken place during the same period in Scotland. At the end of the American war, no wheaten bread was to be seen in the farm-houses, country villages, and minor towns of Scotland, and but little even in the largest towns. Oat-cakes and barley-bannocks were then universally made use of, but at present the case is widely different. The upper, and also the middle and lower classes in towns and villages use only wheaten bread; and even in farm-houses it is very extensively consumed."

Let us now turn to India. Is it impossible in the present wretched state of her agriculture to introduce at least improvement something equal to this! Was not the agriculture of Great Britain prior to 1760, immensely beyond the present agriculture of Bengal? And might not the *number* and the *prosperity* of the people, as well as the *revenue* of the country, be increased at least one-half beyond their present number, and all of them as much better fed, as are the *more than doubled* population of Great Britain, now fed on the best wheaten bread instead of that made from rye and barley? Is there then any improvement of a mere temporal kind, equal in magnitude to this? Does it not become those at the head of Indian affairs to have their eyes steadily fixed on this object? Should some say in listless despondency, "All is vain, the Natives of India will never improve their agriculture;" we would ask them how they can venture to hazard such an assertion. Is this any thing more than the language of ignoble sloth? Have they not already had a different example set before their eyes in the public papers within this month past? Have they forgotten the result on the west side of India, of a new plough being introduced, with which *six* bullocks, after an hour's fair trial, ploughed as much ground as the old Native plough did with *ten* bullocks? Have they forgotten, too, that while the old Native plough, with its ten bullocks, left the intermediate spaces of ground quite untouched and as hard as ever, the new plough, with its six bullocks, ploughed up and thoroughly loosened the whole of these intermediate spaces? Here then is one of the first means of improving British agriculture at once before us; the ploughing done at half the expense, simply by introducing a new plough.\* *En-*

\* This is one of the improvements to which the increase of agriculture is ascribed. The Edinburgh Reviewer says, p. 331, "Mr. Dawson was the first who introduced not long after 1760. the practice of ploughing with two horses abreast



*closures* were another of those means, and is there then no hope that more land may be brought into cultivation in this waste country? And what is the amount of the land thus improved in England compared with the vast quantity of land still lying waste even in Bengal, and much more in the Upper Provinces! And may not *green crops* be introduced gradually here in succession to crops of corn? These the reviewer declares to be the greatest of all improvements, and to have effected as great and beneficial a revolution in British agriculture as the introduction of the steam engine and the spinning frame has done in manufactures. And why may not the Indian agriculturalist at length learn the value of a *rotation of crops*, unknown even in Scotland prior to 1763? Says our author—"There was then no rotation of crops. Neither turnips, clover, nor potatoes had been so much as heard of; but corn followed corn in an unbroken series."

• But we must throw out one idea here, although our present limits forbid our now entering on it fully. No improvement ever will be made by the Native cultivator *until he deems it his interest*. As long as he can say—"Let me not improve my ground this year, or the next, or even the next after; for, if I do, it will only draw upon me a heavier assessment four years hence;"—there is no hope. Exertion is nipped in the bud; and India is robbed of *unknown millions sterling* from year to year. And where is not this the case throughout India? When will those at the head of affairs open their eyes to the present *suicidal system*, existing almost throughout India, relative to the produce of its soils? Our limits constrain us to reserve the full consideration of this topic till another opportunity.—*The Friend of India*.

#### FLAGRANT INJUSTICE ON THE PART OF THE EAST INDIA COMPANY TOWARDS A VALUABLE OFFICER OF THE INDIAN ARMY.

Since the commencement of our labours in conducting this Magazine, we have been frequently called upon to expose the tyranny of the East India Company towards its luckless servants. Latterly such requests for assistance have rather increased than diminished, notwithstanding the dark deeds which, by our instru-

without a driver; nor is it easy to exaggerate the obligation the agriculture of Scotland owes to his sagacity and enterprize. But even in the Lothians, the four horse plough continued in general use till about 1780; and it was not finally superseded by the two-horse plough for several years after."



mentality, have been dragged unwillingly to the light from the gloomy precincts of the India House. An honest reader of our work would naturally imagine that our continual *exposés* of the Company's mode of administering justice!! would have the effect of stultifying their future proceedings, and render it imperative upon them to found a less insolent, capricious, and, we may add, dishonest, code of judicature in their affairs. On the contrary, however, the exposition of one case of flagrant injustice against them, but gives rise to another, and we are made to feel that we have only applied the match to a ramified train of charges now undermining the ugly building in Leadenhall Street, and which will ultimately raze it to its very foundation in a deafening and long-stifled explosion. This eventful day may not be far distant in the *vista*! Already certain demonstrations,\* certain quakes have occurred expressive of the coming denunciation—the fast approaching and inevitable *ruin*.

But to our task; which is to detail yet another case of baseness, ingratitude, and *literal ignorance or contempt of its own laws* on the part of the East India Company.

The case we allude to, is that of Major Fagan, late Deputy Paymaster in Rajpootana, a distinguished and meritorious officer, who had actively served the Company for 30 years, and we give it in his own words:—

“1835.

“*To the Court of Directors of the East India Company*— I have now, after an absence of thirty years from my native country, returned to it for the first time, for the purpose, among other objects, of personally submitting to your Honorable Court, claims, the justice and equity of which assure me of their favorable consideration.

“In a Memorial which I had the honor to address to your Honorable Court, dated 8th March, 1832, I called your attention to an extraordinary exercise of Patronage on the part of your Governor General, Lord William Bentinck, by which I felt, as I still I do, deeply injured, viz. the promotion, not only

\* To wit, the demonstration which has immediately occurred. Kearney's attempt to assassinate Mr. Loch the Deputy Chairman, goaded to the act by the cruel ill-usage of the Company towards him. We shall devote a few of our pages to this poor fellow's case, and shall not blush to defend an ASSASSIN under his very peculiar circumstances. A man must either have Job's patience, or be truculent as the verient slave, to withstand the “delay” and “insolence of office” observable in the Directors.



in deviation from the usage of the Service, and your own\* recorded disapproval of similar proceedings, of Lieutenant James Higginson, an officer not of eight years residence in India, to the only full Paymastership on the Establishment, that of the Presidency, to the supercession of myself, who was, at the time, the Senior in the Pay Department, and had moreover, been serving you, probably, when Lieut. Higginson was not born, in the conquest of the French Islands, at a time when zeal and activity in your Service were fairly appreciated by your Indian Government, because they were needed; and subsequently, in the Campaigns in Nepaul. That your Vice President in Council, Sir C. Metcalfe, the Governor General being absent from Fort William on a tour through the Upper Provinces, thought, with the Indian Community, that I had made out a case for your interference, is apparent, not only from the absence of that public reproof of my conduct, which, in accordance with his duty, he would have passed on it, had my representation appeared\* to him groundless; but, also from his having forwarded it to your Honorable Court, with an acknowledgment of the responsibility of the office of Deputy Paymaster which I was then filling, and a strong recommendation to your favorable consideration of my prayer, to be allowed to retain that situation in the rank of Regimental Major; thus, recommended to your favorable consideration as my Memorial was, by your Vice-President in Council, from his sense, no doubt, of the injury I had suffered through my undeserved supercession in the Office of Presidency Paymaster, by Lieut. Higginson, and of my consequent claim to remuneration for the same at your hands; and having submitted to you, in contradistinction to the twenty-three days' experience of that young Officer, who never did a day's duty in the Department, that I was the Senior Deputy Paymaster on the Bengal Establishment, having held that anxious, and responsible Office, for fourteen years; and above all, having offered as conclusive proofs of my superior claims and qualifications, not only above Lieutenant Higginson, but of all the other Officers in the Department, the testimony of your Governor General, Lord William Bentinck, conveyed to me in the following words: 'The Governor General is not unin-

\* "Having taken into our most serious consideration the numerous instances which have lately occurred of nominating Officers of Short Standing and inferior Rank, to important Situations in our Military Service, a practice so prejudicial to the interests, and hurtful to the feelings of old and deserving Officers, we, &c. &c. See M. L. to Bengal, dated 16th Feb. 1814. Par. 130."



formed respecting your Official character ; he has understood that you have much experience in the Pay Department, and that you conduct the duties of your present situation with zeal, and regularity.' And again, ' His Lordship is fully aware, that, in experience, Captain Fagan is without a rival in the Pay Department, and that his zeal, integrity, and regularity are unquestioned.' I had hoped, that, though you might have felt yourselves reluctant to annul the appointment of Lieut. Higginson, and to order its bestowal on me, you would assuredly, at all events, have allowed me to retain my Office of Deputy Paymaster in the rank of Regimental Major, in accordance with the recommendation thereto of your Vice-President in Council. Sanguinely anticipating such a result from your consideration, liberality, and justice, I leave it to the feelings of your Honorable Court, to estimate the extent of my disappointment, grief, and despondence, on receiving the communication of your decision on my case, in the following brief terms: ' We do not think Captain Fagan has established any grounds for our interference ; neither do we see any sufficient reason for altering the designation of Deputy Paymaster, or for allowing Officers to retain that situation after promotion to the rank of Field Officer.'

" Entertaining, as I still do, a conviction, that I have a fair claim to some remunerative consideration at the hands of your Honorable Court, from the prejudice, and hurt, my interests and feelings received, from my admitted claims to the Presidency Pay Office having been overlooked by your Governor General, from motives of private favor for a young relative ; believing that your watchful solicitude for the public interests, as well as your enlightened regard for Individual right and justice,\* will on reconsideration of my case, induce a more favorable decision on it, one less susceptible of being construed as expressive of your displeasure than that already pronounced, and which, if not reversed, must stand not only opposed to your own declared sentiments, but a record of your assent to the principle, that appointments to Staff situations, even the most responsible and important, may be regulated entirely by private predilection, without reference to public services or principle : that you sanction the exercise of private patronage in the disposal of Public Offices, and make the reward of past Services, and the incite-

\* We retain this flattery to shew that the applicant was not wanting in respect for the clique he addresses, therefore that they could not well quarrel with him on this point at least.—*ED. E. I. Mug.*



ment to future exertion, subservient and secondary to the more powerful claims which personal connection with the Head of the Supreme Government would thus confer.

Such is the substance of the principal injury Major Fagan has experienced at the hands of the Company, *in direct opposition, be it known, to its own recorded Regulations, well understood in the Military Service.* But emanating and branching off from this main grievance, others are detailed in the Memorial before us, equally deserving notice. *Per se:—*

“ I now come to the second matter, which I would respectfully submit to your Honorable Court, namely, my claim to some remuneration for having performed the duties of ‘ Treasurer at Nusseerabad,’ in addition to my immediate duties of Deputy Paymaster, from our first occupation of Rajpootana, in 1818, to April 1834, a period of sixteen years. It will be known to your Honorable Court, that the functions of both these offices are essentially distinct, that they are separately provided for in the arrangements, and by the Regulations of your Government; one Deputy Paymaster is not permitted to draw on another, nor are the Officers of Government, civil or military, who are entrusted with the power of drawing on the Treasuries of the State, permitted to pass Bills on Paymasters, who are in no way recognised as in charge of Treasuries for general purposes; those duties devolve upon, and are strictly confined to Collectorate and Political Treasuries, and at large Military Cantonments, such as Neemutch and Mhow, where neither a Revenue nor Political Officer resides, their performances is specially assigned to the Brigade Majors of those stations under the separate designation of ‘ Officers in charge of Military Chests,’ with a personal salary of two hundred rupees, and an office and stationary allowance of one hundred and forty rupees a month; but no arrangement having been made for this indispensibly necessary duty, on the first establishment of the large and important Frontier Post of Nusseerabad, the Head Quarter Station of the Rajpootana Field Force, I undertook to perform it, and continued to do so, while I held the office of Deputy-Paymaster in addition to the arduous duties imposed on me by that situation.

“ It is for the performance, during a period of sixteen years, of this extra onerous and responsible duty, (for which, in every other instance, a separate officer is appointed,) that I now submit my claim for remuneration,—a remuneration which I have well earned of your liberality and justice; for, I do not hesitate to



say, that had I bestowed upon its performance, only that degree of personal attention and superintendence which official duties ordinarily obtain from those entrusted with their discharge, instead of the close, unwearied vigilance, and laborious personal supervisions which it is well known marked my performance of the duty, you might now be subjected to extensive and irrecoverable loss, through the payment of forged Bills, as was discovered to have taken place to large amount some years ago at the Collectorate Treasury of Benares, and recently at that of Patna, by the fraudulent sale, to the extent of three and a half lacs of rupees, of stamps, by the Stamp Darogah, a subordinate of the Collector; and I should be free from permanent bodily ailment and defective vision, the consequences of my close sedentary application, for so long a period as sixteen years, and in such a climate as India, to duties, the sphere of which was so considerably widened by the addition of those extra ones, for which I now solicit the regulated compensation at your hands.

“ The Brigade Majors of Neemutch and Mhow. as ‘ Officers in charge of Military Chests,’ draw, as already stated, an aggregate monthly allowance of three hundred and forty rupees, in addition to their allowances as Brigade Majors. The duties devolving on me, as in charge of the Military Chest at Nusseerabad, were precisely the same as those required of the above officers; and I performed them by constant and unwearied application, and much personal writing, with the aid of my Pay Office Clerks alone; I, therefore, respectfully submit that the application to my services of the scale of personal remuneration of rupees two hundred per mensem, assigned in the above mentioned instances, for this extra duty, being for sixteen years, rupees 38,400, would be but an act of pure and simple justice, all claim to the Office allowance of one hundred and forty a month, or for sixteen years rupees 28,800 being relinquished by me, as a saving effected for the state.”

The Directors would not, and will not, entertain these claims on the quibbling ground that Major Fagan imposed on himself untalented-for duties. In the subjoined, the Major introduces the letter of a local authority on the subject :—

“ Your Vice-President in Council, on a report on the subject from your Accountant-General,—which a more comprehensive one, subsequently furnished by the Superintendent of Ajmere, has shewn to be erroneous,—decided against my claim, and proceeds, in a letter from Deputy-Secretary Major Stuart to the



Military Accountant, under date the 5th of June, 1834, to state the grounds of his decision as follows:—

‘ Par. 2—If Major Fagan found the duties for which he now seeks remuneration of a harassing or onerous nature, instead of allowing a series of years to elapse, he ought either to have transferred them to the Revenue Officer in charge of the Ajmere Treasury, or, if that were objected to, to have applied to Government for relief.

‘ Par. 3—As Major Fagan did not adopt either of these obvious modes of procedure, but continued to impose \* on himself labours, which, though of value to individuals residing in Cantonments, were not demanded by the necessities of the Service,—there being a Revenue Officer and Treasurer at Ajmere,—the Vice-President in Council does not consider himself at liberty to subject the state to a double payment on account of duties, the performance of which, though assumed by the Deputy Paymaster, was provided for in the salary received by the Revenue Officer.’ ”

To which Major Fagan replies,—“ I would simply state, that my having undertaken and regularly performed the duties of Treasurer at Nusseerabad, in addition to those of Deputy Pay-master, was well known to the Superintendent of Resources in the Western Provinces, to the Military Accountant, and Accountant-General, my transactions in that capacity being brought through my accounts, and the accounts of the several Residents, Collectors, &c., on the establishment, regularly every month under their scrutinizing cognizance; and that, as the Accountant-General,—whose official character it would too seriously impugn, to suppose he had not perceived my first assumption of a charge involving such immense responsibility,—did not inhibit my continued performance of the duty, but, on the contrary, allowed me to continue in it for a series of years, it is but reasonable to believe that he approved of an arrangement so obviously demanded by the ‘ necessities of the service,’ and from a conviction that no more convenient, economical, or advantageous one, could be substituted in its stead.

“ Besides having the sanction of the Accountant-General, and of the Superintendent of Resources thereto, my assumption and continued performance of the duty in question was ap-

\* “ My continued performance of these duties was forcibly pressed on me by the First Revenue Officer, in charge of the Ajmere Treasury, Mr. Wilder.”



proved of by the late Sir David Ochterlony, when Commissioner for the States of Rajpootana and Commandant of the Western Division, which those states constituted; and it was in deference to his opinion, that it was better to postpone the question of remuneration till my relinquishment of my office of Paymaster,—when the public convenience and economy, which would, he thought, be apparent as the results of my performance of the duty, in combination with my specific and immediate business of Paymaster, would, he had no doubt, favorably influence any application which I might then prefer,—that I withheld my claim until leaving office.

“ In reply to the remark of the Vice-President in Council, that ‘ the performance of the Treasury duty at Nusseerabad was provided for in the salary of the Superintendent of Ajmere,’ I respectfully beg to observe, that, as the necessity of an arrangement for the performance of these duties was not brought, incidentally or otherwise, to the knowledge of Government till lately, through my application for remuneration, no reference could possibly have been had at the time of fixing the scale of allowance for that officer to those duties, as augmenting his labours, and giving him a consequent claim to increased salary, which, moreover, was subsequently reduced to less than a half of what it originally was.

“ That the labours I imposed on myself were demanded by the ‘ necessities of the service,’ although your Vice-President in Council is of a different opinion, your Honourable Court will be farther convinced when I state, the Superintendent and Political Agent at Ajmere, Lieut.-Colonel Spiers, in answer to a letter of mine, the nature of which his reply explains, writes to me under date the 26th August, 1833, as follows:—‘ I have not the slightest hesitation in stating, that your having been empowered to undertake the Treasury charge you have so long held at Nusseerabad, has been a source of great public convenience, generally, and individually; and had you not carried on those duties as you have done, there can be no doubt, in my opinion, that Government must have directed some other arrangement creative of considerable expense, in order that the current duties of the Treasury there, in regard to cashing, and granting bills, might be carried on.’ ”

It was the general opinion of all the Government Officers, acting connectedly with Major Fagan in this Department of the service, that the latter was attending to imperative duties fairly calling for remuneration. The Major proceeds:—



" I am enabled to add, for the farther enlightenment of your Honourable Court on the subject, that the Government have now seemingly recognised the necessity and utility of the arrangement, for conducting which, I claim remuneration ; as, notwithstanding the matter has been brought to their notice, they have not ' transferred the duties to the Revenue Officer at Ajmere, nor afforded the Deputy-Paymaster at Nusseerabad any relief,' the prohibition of the Accountant-General, conveyed to the present Superintendent of Ajmere, against any farther use being made of the Nusseerabad Pay Office, as a Treasury for general purposes, having been suffered to fall to the ground, under the explanations, I presume, afforded by the latter gentleman ; I trust, the labourer being worthy of his hire, that my performance of acknowledged arduous, and responsible duties, for a number of past years, and which are, at the present time, admitted to be calculated to advance the good of the Service, will ~~not be suffered~~ by your Honorable Court to pass unrewarded, or unrecompensed. Instances frequently occur in your Service in India, of other Staff Officers receiving remuneration for extra official duty of far less value and importance than that performed by me ; and I submit, that what is deemed a fair recompense for the comparatively unimportant services of other Officers ought not to be refused to me merely because mine are past."

It is surely something more than paradoxical to assume that because a man voluntarily takes upon himself the performance of acts directly advantageous to his employer's interests, the latter should *growl* at the claims resulting from them, and deny those claims as altogether frivolous. This may be *Tiger* justice, but by no means *English* : and so we should have the Company comprehend. Major Fagan did not make for himself a sinecure place, and then fill it with the anticipations involved. It is plain, from what we have quoted, that salaries are paid and received in India for the very same duties. Because a man sees his employer's interests receiving palpable injury, and endeavours to remedy the evil out of pure disinterestedness, must he be deemed a meddler, and kicked out of place and remuneration for his pains ? If some of the Company's officers in India were to wait advice from home, as to certain requisite duties calling for attention in India, the Company's interests would be considerably less consulted than they are. And the Directors are well enough aware of this : for, upon more important occasions than the one in point, officers in India have been allowed a



latitude of duty acquitting them of all responsibility, and for which they have been so far lucky as to get well paid into the bargain.

Of course the Company were, after a few years, cognisant of the fact, that Major Fagan had imposed on himself the duties in question. Why, then, what a cunning trick it was to allow their officer to proceed in his labors, when they had in their own minds premeditated to blast his hope of reward.

We will now proceed to point out another claim which the Major very respectfully makes on the Company,—

“I would also prefer to your Honorable Court my claim to house-rent for the period I was Deputy Paymaster in Rajpootana: as fully showing the grounds on which this right, as clear a one as was ever submitted, is founded, and on which it has been pronounced “inadmissible” by your Bengal Government. I must trouble your Honorable Court with the whole of the correspondence on the subject which has passed,” &c. &c. &c. A long correspondence ensues, its germ fully substantiating Major F.’s claims. This is, however, a matter so completely military that we fear the orders, and regulations of the service, &c., it involves, would not allow of being extracted or animadverted on, so as to prove interesting to the reader. Suffice it the claim for house-rent is made in accordance with certain established rules in the service.

But, as if with *malice prepense* against Major Fagan and his rights altogether, the Directors have picked out certain matters to found more quibbling reasons for disallowing even this claim. But this is a matter which we must necessarily leave to other advocacy than that of a single pen. The correspondence evidences to our minds, that Major Fagan has not troubled the India House without having carefully examined the bearings of the military law on the question. Alas! perhaps the Major thought not that while he thus betrayed his intimate acquaintance with the regulations bearing on his individual rights, he was “sticking a thorn into the sides” of the Company. He touched a sore place when he questioned the Company’s mode of administering justice.

A case more loudly calling for redress than the foregoing, we have not for some time had occasion to refer to; and we hope our feeble notice of its merits, will lead the Directors to a reconsideration of it.

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### THE JAILS IN INDIA.

Last year Dr. Hutchinson had the politeness to hand to us a copy of his Report on the state of the jails in Bengal; and as soon as we received the book, we informed our readers of the incredible fact, that in one of these most horrible dungeons, of the United East India Company, more than half of the prisoners die in the course of the year. We then handed the Report over to Mr. Wakley, believing him to be the most proper man in the world to grapple with this immense mass of human misery and infamous misrule. He instantly embraced the subject, and got the House of Commons to address the King for information upon the subject. This order passed the House on the 18th of April 1836; Parliament continued to sit for four months longer; but, the Company would not produce a single line of information upon the subject; however, fortunately, the same Parliament has met in another Session, and, at length, on or about the 6th of March, 1837, it has pleased their High Mightinesses the Directors General of India, to make a Return to the Order of the Commons; that is, six weeks within a year. This Return is made in "Ten Volumes," and occupies above two reams and a half of foolscap paper. Judging from the time it has been in the course of preparation, we must suppose that the Directors have permitted but one clerk to be employed upon it; if two have been employed upon it, then one must have been idle. The document is not written in the same slovenly manner as that in which the Returns of the old United Company used to be written: therefore it may have cost 50 or 60*l.* for labour, besides 3*l.* for pens, ink and paper. It exhibits a good deal of the state of the jails of Bengal, Agra, Madras and Bombay, Penang, Malacca, and Singapore, which, perhaps, may contain sixty thousand prisoners, and annually destroy four thousand prisoners!

This large mass of 'Ten Volumes of foolscap, was referred to the committee for the printing of papers; but Mr. Wakley justly considers that the public service requires that the whole shall be printed; it will form one folio volume of above seven hundred pages. A more interesting and valuable document cannot be imagined; especially now that every body in India is subject to imprisonment even for life in these charnel houses, which devour a half, a quarter, or, at the least, a tenth of all who enter them.

We shall be happy to receive orders for copies of this work, which it is to be hoped will be printed in another half year.



## INDIAN INTELLIGENCE.

## Calcutta.

SUPREME COURT, Sept. 30, 1836.

*In Chambers.—Before Mr. Justice Grant.—In the Goods of James Napier Lyall, Deceased.*—This was an argument on a caveat.—On a former day, Mr Whyte, of the firm of Mackenzie, Lyall, and Co., applied for a probate of the last will of James Napier Lyall, deceased.—To the granting of probate to Mr. Whyte, a caveat was entered by Mr. Charles Lyall, of the firm of Lyall, Matheson, and Co.—The case came on for argument to-day.—Mr. Prinsep in support of the caveat, took a preliminary objection, and contended, that the case was irregularly set down for argument before a Judge in Chambers, the question of a caveat could only be argued in Chambers by consent.—Mr. Clarke. A caveat can be argued in Chambers as well as in open Court, it is in the Ecclesiastical Courts, in the nature of an injunction in equity.—Mr. Justice Grant.—An Ecclesiastical Court is always open.—The Ecclesiastical Registrar stated upon the point of practice being put to him, that he was aware of no case in which an argument of a caveat had been in that Court held in Chambers; but that he was not aware of any practice to the contrary.—The Advocate-General for Mr. Whyte, the executor, stated in answer to the Judge, that he had very special grounds to urge, why the argument should come on at once. They are—that the property of the testator ought to be left without there being some responsible person to take care of it, and from whom an account might be demanded by the legatees in the will. The present applicant for probate, was one of two executors appointed by the will, and the only one resident in this country. The caveator was a person who took nothing under the will, had no interest in the matter, and was in fact a mere interloper, and his only ground of interference is in fact, that he has heard that the will at home is different from the will on which probate is sought here; he is also a debtor to the estate of the deceased. I have heard of a creditor interfering, but it is something new, to see a debtor in this situation: he ought to account forthwith to the estate, and is the very last person in the world to enter a caveat. It is not denied that Mr. Whyte is appointed executor.—The Registrar here stated in answer to a question from the learned Judge, that he had found no case in

which the Court had refused to take an argument of this sort, in Chambers.—Mr. Justice Grant then called on Mr. Prinsep, and declined hearing Mr. Clarke who was with the Advocate-General.—Mr. Prinsep.—There is no reason urged for taking out probate instant, but that the funds are in the hands of the caveator. It was sworn that Mr. James Napier Lyall, the testator, had sold his interest in the house of Mackenzie, Lyall, and Co., for a sum between two and three lacs of rupees; that Lyall, Matheson, and Co., were the constituted attorneys of the testator for the purpose of receiving the monthly payments of 3,000 rupees from Messrs. Whyte and Lamb, constituting the present firm of Mackenzie, Lyall, and Co., who had entered into a bond to pay the purchase money of his interest in the firm to Mr. J. N. Lyall, by monthly instalments of 3,000 rupees; that the will upon which probate was now sought, was placed in the hands of Messrs. Lyall, Matheson and Co.; that the testator previously to his sailing for England, had executed two wills in duplicate—the one he left here with Lyall, Matheson and Co., and the other he took with him; and that the latter was the last promulgated, and was, consequently, the will on which probate ought to be granted; that the whole estate of the testator in this country, was the bond of Messrs. Whyte and Lamb, and that Lyall, Matheson, and Co., were left to get in the monies payable on this bond by Messrs. Whyte and Lamb; that Mr. Robert Lyall, of the firm of Lyall, Matheson, and Co., was the other executor named in the will, and was then absent in China—the will we know, by letter, is on its way out per ship "Gipsy" accompanied with other documents.—Mr. Justice Grant.—Upon what grounds do you say that the estate should be left without any one to take care of it?—Mr. Prinsep. There is no immediate necessity for granting probate. Mr. Whyte has filed a bill in equity, and prayed for a receiver, therefore, there is now less necessity than ever, the receiver appointed by the court will take care of the property here; besides, by statute, six months are allowed to prove a will—we only want to wait for the arrival of the will by the "Gipsy." The affidavit of Messrs. Whyte and Lamb is rather bold swearing; they state the firm of Lyall, Matheson, and Co. to be indebted to the estate of the deceased 35,000 rupees;



we, on the contrary, swear and shew that we have only 3,000 Rs. in our hands, on this account, and that since the arrival of the news of Mr. J. N. Lyall's death, that sum has been invested in Government paper in the names of the executors named in the will.—Mr. Justice Grant. All these may be very good reasons for allowing the caveat, but they do not go to prevent my hearing the argument on it. I am very much impressed with the necessity of appointing some one to take care of the estate; I will, therefore, hear the argument; you had better go into the case, Mr. Prinsep, and when I have heard both sides, I will then determine either to give my decision, or to send the matter before the whole Court.—Mr. Prinsep. The instalments on the bond have been regularly paid up, but no interest upon them, and Whyte and Lamb, owe upward of 22,000 rupees to that estate for interest; now, the only estate of the testator in this country is this bond, and Whyte being executor, if probate is granted to him, the estate at once becomes extinguished. The estate would legally vest in him, and no one at law could compel payment of the instalment, the estate would in consequence be saddled with an equity suit. Charles Lyall, the caveator, is the attorney of the other executor Robert Lyall; the whole amount now due on the bond is 2,13,131 rupees, 22,000 of which is for interest, after deducting what has been paid: accounts are annexed to our grounds shewing how this statement is made out. Whyte is in himself the whole estate of the testator, as well as his executor, the whole estate here being the debt due on this bond. By these accounts it appears that Lyall, Matheson, and Co. have only 3,000 rupees belonging to the estate in their hands, and that is invested in Co.'s paper. It is, I must say more than bold swearing to say that 35,000 rupees is now owing by Lyall, Matheson, and Co. to this estate. The learned counsel then announced on the affidavit of Messrs. Whyte and Lamb, and stated that much of it was sworn without a particle of foundation for the assertions made on it.—A letter arrives by the overland dispatch, with intelligence of the death of Mr. Lyall, and of a will having been opened in England; but the items, and bequests in the will, are not disclosed by the letter, and it may, for aught that appears, be different from the will here, on which probate is now demanded, and there is not the slightest proof of identity of bequests, between the will here and that at home. Copies of the will at

home, are being forwarded by the "Gipsy," and "Richmond," this is proved by an extract from a letter by the overland mail, and which we, in our affidavit, state to be the grounds of our belief of the fact. The letter is from Mr. W. Lyall of the firm of Lyall and Brothers, London, the correspondents of Lyall, Matheson, and Co. I only ask that probate should be suspended, until the other will arrives; the delay cannot be more than a week. We swear to this extract of the letter, by which it appears, that the will is shipped, and on its way out; the original in the "Gipsy," the duplicate in the "Richmond." It is supposed these ships sailed in June, and June ships have already arrived. Under all these circumstances, therefore, I submit probate ought not to go. By it the whole estate would be placed at the mercy of Mr. Whyte; he is the sole executor here, and the probate would operate as an extinguishment of all legal claim on Whyte, and must of necessity throw the matter into equity. Besides, the Court will not grant probate upon a mere duplicate, not sworn to be identical in its provisions with the will about to arrive. If they had said, we send you a will of which the duplicate is in Calcutta, that would have obviated the difficulty, but they say nothing to that effect. The will here and that coming out, may be the same in their provisions in point of fact, but the Court must be satisfied of that before it will grant probate; especially when the whole debt to the estate would in law be extinguished by the probate to Whyte. I will consent to a receiver, or to letters *ad colligenda* to any one, whom the Court may chuse to appoint. The power to attorney of Lyall, Matheson, and Co. to receive the monthly instalments is at an end by the death of J. N. Lyall, and, therefore, if probate is granted, Whyte will peremptorily demand the delivering up of the bond.—Mr. Justice Grant. Where does it appear that the will is to come by the "Gipsy"?—the nature of the enclosures mentioned in the letter of Mr. Lyall of London, is not disclosed.—Mr. Prinsep. We swear that we expect these ships daily. The learned Counsel here read letters from the legatees under the will at Mortrose, in proof of the sailing of the ships in question, and the shipping the will and other papers.—Mr. Justice Grant. If, Mr. Prinsep, you have opened your whole affidavit, it is defective; you have not sworn that you believe the will is coming out in the "Gipsy." I must have your belief on



the subject, and not merely the grounds of your belief, which is all that you have as yet stated of your affidavit.—Mr. Prinsep. Certainly, we have not sworn positively to this point; we cannot, indeed; we can only give the grounds of our belief, which we have done.—The Advocate-General with whom was Mr. Clarke, against the caveat. My friend has placed the question entirely on wrong ground: the question is not, whether, for the fantastical reasons or pretences of my friend, you shall refuse probate; the only question is,—whether the will now produced is the will of the testator, and whether Mr. Whyte is entitled to probate. The learned Counsel was then proceeding to state the whole circumstances of the sale of his interest, in the firm of Mackenzie, Lyall, and Co., by the testator; the bond and payments thereon to Lyall, Matheson, and Co.; the execution of the will and subsequent embarkation for Europe by the testator; when he was addressed by Mr. Justice Grant. You see, Mr. Advocate, (not to interrupt you) before you go into all these facts, I should like it to be shewn to me that this is the will.—The Advocate-General continues. Lyall, the testator, in May 1835, entered into a contract with Whyte and Lamb for the sale of his interest in the firm of Mackenzie, Lyall, and Co., and they gave a bond for three lacs of rupees. It is sworn in Mr. G. Collier's affidavit that the will was drawn by him in duplicate, each part sealed up by Mr. Collier himself, in the presence of and by the direction of the testator; one was delivered to Lyall, Matheson, and Co., and the other remained with the testator himself. If I am asked, if this is the will, I answer, it is! because it was drawn so, and is sworn to be such. Mr. Prinsep has stated, that the will at home is the last will, because it was last executed, and that Lyall, on his death, delivered the will, with other papers, into the hands of Capt. Campbell, the commander of the ship, to be transmitted to Lyall and Brothers, London, and by them to be transmitted to his relations the legatees.—But the present caveator is an interloper, and the pretence of his interference exceedingly philanthropical—he must look after the interests of the testator's two natural children. This is a most forcible pretence; Mr. Whyte, the nephew of the testator is surely nearer kin to them than Mr. Charles Lyall, or Lyall, who are in no way related to the testator. My friend has stated our affidavits bold swearing, in the particular of stating

Lyall, Matheson, and Co. to be indebted to the estate of the testator, and yet they themselves, in their grounds and accounts appended, admit the fact, and that too through the mouth of their attorney. (Reads a letter from Mr. Shaw.) My friend says, the monies paid to them, on account of the bond, have been invested. Now, the meaning of invested, I had thought was somewhat different. Invested, means placing in Company's paper, or English stock; but, according to these accounts furnished by my friend, vested means drawing a set of bills in June, for £800 on Messrs. Glyn, Halifax, and Co., Bankers, London, at 1s 11d\* per rupee. This was not a very good remittance for the estate, supposing the bills to be the best in the world. It certainly was rather an odd mode of vesting funds to send home bills at 1s 11d,† when every body knows the rate of exchange was then 2s 3d. But bills for £800, drawn of Glyn, Halifax, and Co., cannot be called, vesting funds to the credit of an estate: it is a payment—it is still a debt, and he is, indeed, a dishonest man, who can swear he is not indebted, when he has only his own bill drawn upon a London bond to shew for the liquidation of his debt to the estate of an intestate. This question is not as to the goodness of the bank on which the bill is drawn, but as to the responsibility of the drawer. Why does he then interfere, since it is quite clear he is still indebted to the estate? It is then said,—Oh! but we had an authority to receive the 3,000 rupees a month. Has not the power expired with the man who granted it? They have no longer any claim whatever, in virtue of this power, they have no claim for any other cause; and why, then, interfere in the matter of this estate? They chuse, moreover, to say that there may have been alterations in the will during the passage home. A very

\* This statement was corrected by Mr. Prinsep, who explained that the rate of exchange was 1s 11½d per Company's rupee.

† We are requested to state, that the bills were drawn by the Bank of Scotland at 60 days' sight, and that Messrs. Lyall, Matheson, and Co., who had many of these bills for sale, remitted them to Mr. James Lyall, on the same terms precisely as they were selling other sets of the same bills in Calcutta, viz., 1s 11½d per Company's rupee, which is ½d higher than the rate quoted at the same period, (last June,) for 30 days' sight bills in the *Exchange Gazette*.



likely story. The testator had no intimate friends on board, and, dying, delivered his will to the Captain, who was not his relation. They had no account whatever of the will which was coming out, differing in the slightest degree from our duplicate. I ask therefore, for probate, because Mr. Whyte is the only executor here, or likely to be here. We have a letter signed by all the legatees, who have been instructed as to the contents of the will at home—they are the same as the legatees in our will. This is something like a presumption that the will at home is unchanged. The real object of Mr. Whyte, says my friend, is by getting probate to extinguish the debt! What, one of two partners of a firm, and both jointly bound? Besides probate would not in equity operate as an extinguishment of the debt, and it extinguishes not the claim, but only the remedy at law. But surely all these evils consequent upon Mr. Whyte's acting as executor, must have been present to the testator when he made the will, and Whyte one of his executors? My friend would have saved much time, had he abstained from detailing these mighty evils in the estimation of the caveator, but which did not appear such to the testator himself. The learned Counsel then went at length into the question of the identity of bequests in the 2 wills, and contended that his duplicate was the same, in every particular, as the will coming out—and that there was not a shadow of ground to satisfy the Court that the latter has been altered. Mr. Clarke followed against the caveat. Calls the attention of the Judge to the affidavit of Collier and Parker, the subscribing witnesses to the will—the next point is the will itself. He leaves 50,000 rupees each to his two natural children. The learned Counsel here detailed the provisions of the will. The residuary legatees take a much larger share of the property than the natural children, and yet they have no fear of probate being granted to Mr. Whyte, on the contrary, they write out under the impression that he will take out probate, and urge his sending home powers to some one in England, to act for him, and take care of the estate in England. The learned Counsel then shewed the improbability of his altering his will on board a ship; he had no friends or relations near him, and he made his will but two days before his embarkation; why, then, should he in so short time alter his mind? No doubt that up to the time he sailed it was his last will—up to that time it was a valid

will, and Whyte is entitled to probate.—No circumstances have been shewn to make it appear other than his last will; if probate be refused in this case, in no case can probate be granted of the will of a man dying in England, until affirmative proof be sent out that he had made another, or altered that will he left behind. The letter of the five legatees, from Montrose, corroborates the validity of this will; why do the legatees, who are the same as in our will, write out to the two persons named executors in our will if there is a difference?—Mr. Justice Grant. They do not say there is a difference, but that there may be a difference.—Mr. Clarke then argued at some length to shew that the knowledge of the will denied by the legatees from the copy of the will at home, went to shew that its provisions were precisely the same as those of the will here.—The learned Counsel then went into the grounds of the caveator, and contended that they did not establish the slightest difference between the wills: let us suppose he did alter his will on board a ship, the alteration would have appeared on the face of it. If he had made another will, would he not have said, I hereby cancel the former? Yet here is Mr. W. Lyall, of London, in possession of all his papers, who writes out here, and yet neither his letters, nor those of the legatees, contain a single allusion to any alteration having taken place in the will at home, or to shew that the identity of the two wills is in any wise controverted—he tells Lyall, Matheson, and Co., to be cautious, and to peruse all papers before delivering them to Whyte; thereby, admitting Whyte to be the executor; and would he not have intimated the fact had any alteration or revocation taken place?—I contend, therefore, the wills are counterparts. Mr. Lyall, of London, himself admits that nothing can be done at home with the property until the executors are heard from. Mr. Clarke then contended that it was expressly necessary that an executor should have probate, in order to take care of the property, and taking up the accounts of Lyall, Matheson, and Co. shewed that they admitted the receipt of 36,000 rupees, since June 1835, from the house of Mackenzie, Lyall, and Co., and accounted only for 8,000 rupees, and that from 1st May, 1836. What, then, said the learned counsel, has become of the remaining 28,000 rupees? They say, it has been sent home, I should like to hear when and how. Mr. Clarke then commented on the unfavorable remittances of bills home, at the rate of 1s 11d per



rupee, and put it to any commercial man whether such conduct with the funds of a constituent did not require an immediate interference. Mr. Whyte is entitled to probate as executor; he has, moreover filed his bill in equity and prays for a receiver, which is a proof of his honesty of purpose. He could no longer pay the 3,000 rupees a month to Lyall, Matheson and Co., their power of attorney having expired, and he shews clearly, therefore, that his sole object is the benefit of the estate, and that he wishes to pay his monthly instalments into the hands of the receiver of the Court of Equity.—Mr. Prinsep, in reply, urged, it was a mistake to say, that only 8,000 rupees was accounted for: the whole was sworn to have been remitted; but the account annexed began only with the balance of 1st May last: it was needless to set forth more. The statement that the five legatees had sent out instructions was also an error; five of the legatees had concurred—there were several others: Mr. Clarke had put his article in the wrong place. But none of the letters mentioned a word about the bequests, or said a word about the duplicate will in India, which would have placed the identity beyond a doubt. The Court was asked to act on probability, when a week's delay would give them certainty—and that in favor of a single executor, who was debtor to the whole estate. The extreme haste of the executor to prove, under such circumstances, should put the Court on its guard.—Mr. Justice Grant, after observing that he saw no reason to doubt that the will was the will of the testator, stated that the Court was bound in the absence of all circumstances shewing the executor unfit for the duty, to place implicit confidence in him, inasmuch as the testator, by his not acting, had done so.—*Caveat overruled*.—Mr. Prinsep stated that costs were discretionary.—Mr. Justice Grant observed that costs were discretionary, but he could see no grounds for the interference of Mr. C. Lyall in this matter, and he must, therefore, pay all costs.

#### SUMMARY.

*Proceedings of the Asiatic Society*.—Wednesday evening, the 7th September, 1836.—The Hon. Sir Edward Ryan, President, in the chair.—Report of the Committee of Papers on Cavell's Venkata Lachma's proposed renewal of Col. Mackenzie's investigations.—The reference from the Madras Government, for an opinion on the merits of Venkata Lachma Pandit's proposition, however

complimentary to our Society, might, perhaps have been addressed with better effect to the Madras Literary Society, which must be far better acquainted than we can pretend to be, both with the character and attainments of the individual, and with those desiderata in the history of the Peninsula, which he undertakes to elucidate.—We, however, enjoy one advantage in the possession of Mr., now Professor, Wilson's Descriptive Catalogue of Col. Mackenzie's Collection, which, aided by other published works on the history of the Southern Hindu States, may enable us to form a tolerable opinion on the question.—It might be supposed from the entire silence of Venkata on the subject of Mr. Wilson's labours in the statement he has handed up to the Madras Government of the "Progress of the Researches" in which he is engaged, that he was a total stranger to the descriptive catalogue; although the brief notice he gives of each state and dynasty, appears based upon the summary contained in the introduction to that work, both as to arrangement and detail, and certainly it adds not one iota to the information made public by Professor Wilson, in 1828.—The object of Sir Alexander Johnston, in persuading the Pandit to found a Native Literary Society at Madras, was, doubtless, that through the gratuitous aid of those best acquainted with the languages and traditions of the country, and having connections or friends dispersed over the Peninsula, the learned world might be put in possession of translations and digests of the mass of MSS. collected by Colonel Mackenzie; at the same time that other materials of a similar nature might be sought out and accumulated. The Vice President of the Royal Asiatic Society does not seem to have contemplated the organization of an extensive paid establishment of collectors, pandits, and copyists; otherwise it is probable he would have addressed himself to the Government itself, either directly or through the natural channel of the Madras Auxiliary Society. For he would have anticipated that such an extensive scheme would need the control of a master head, accustomed to generalization, and capable of estimating the value and drift of inscription and legendary evidence. The qualifications of Cavell's Venkata for such an office, judging of them by his "abstract," or, indeed, of any native, could hardly be pronounced equal to such a task, however useful they may prove as auxiliaries in such a train of research. The pandit's original and



arithmetical mode of weighing authorities, of which examples may be found in every item of his statement, is any thing but calculated to contradict this assumption. His remarks on the first, or ancient Nandavarrum dynasty of Andhra, may be cited as an instance:—"As this is a very obscure dynasty, confidence can only be placed in the inscriptions. From the materials already possessed in the collection of Colonel Mackenzie, I suppose one-eighth of the history of this dynasty is complete, and the remainder should be completed by further research." The Mackenzie manuscripts (embracing, as Cavellly Venkata says in his letter to Government, using the words of the late Colonel himself, no less than twenty-one different alphabets, and fourteen different languages) have been for some time at Madras, deposited in the College Library. We have no means of knowing whether during that period the pandit (himself a servant of the college) has published or undertaken the translation or analysis of any part of its contents.—In the absence of any such testimony of Mr. Mackenzie's competence, contrasted with what will be presently urged, it seems impossible to recommend any large outlay of public money in the way he proposes.—Not that it is undesirable to complete the examination of the Mackenzie papers.—On the contrary all who have read Mr. Wilson's catalogue, will grant that to be an object of high, of national importance; especially when it is asserted that many of the volumes are going rapidly to decay, and many not to be available a few years hence. The British Indian Government has spent a lakh of rupees in purchasing these ancient records: to refuse the requisite aid for their examination and conversion to public use when they are known to contain a vast store of curious and interesting matter, would be false economy, only equalled by the case of the Buchanan MSS. in Calcutta, which cost even a larger sum, and which the Government has recorded its unwillingness to print even free of expense, or to take a single copy of it printed by others. But happily, in regard to the Mackenzie collection, such neglect cannot now be feared. Independent of Mr. Wilson's able summary, we are aware that Capt. Harkness, Secretary of the Royal Asiatic Society, has undertaken to translate and digest a portion of the manuscripts in London, and M. Jacquet of Paris has intimated that the mass of the Colonel's inscriptions, to which the Hon. Court of Directors have handsomely allowed him free access, are to be included in the

"*Corpus Inscriptionum Indicarum*," upon which he is now busily engaged; while in Madras itself has lately appeared an able and zealous expositor in the Rev. Mr. W. Taylor, whose previous study of and publication on, the history of the Peninsula, added to his acquaintance with the Tamul and Teluga languages, eminently fit him for the task, and point him out as the properest, if not the only individual capable of fulfilling the grand object proposed by Sir A. Johnston. This gentleman has already gone deep into the subject. At a great expense and sacrifice of time, he has published a variety of "*Oriental Historical Manuscripts*," in the original character and in translation, with a connective commentary, shewing their bearing on the general history of the country. The Editor of the *Madras Journal*, indeed, announces that Mr. Taylor has further undertaken a careful examination of the whole of the College MSS., and that he promises "a paper or series of papers on the subject." It would certainly be most desirable that such examination should not be cursory or incomplete, that it should not leave any thing to be done by others, who would have again to travel over the same ground of previous study to be capable of undertaking it. It would, in short, be most expedient to secure the services of Mr. W. Taylor publicly, for the thorough examination of the Mackenzie records; to allow him such assistance as he might require for the period, (with him necessarily so much shorter than could be allowed to any other,) which he might fix for the task; to unite Cavellly Venkata pandit with him, should he be desirous of assistance, (although, from an expression at page 63, of his second volume, it may be imagined that he would not count much on the aid of the late Colonel's native establishment,) and to — upon the publication of those records which he might select as the most valuable, either in elucidation of history, or native science, philosophy, religion, customs, &c.—For the collection of new materials, the zeal of the numerous members of the English and Native Literary Societies of Madras, (scattered through the various districts,) will need only the suggestions and direction of a leader so well qualified, to accumulate them, without any necessity for a paid establishment. The circulation of a scientific journal throughout the Presidency will materially contribute and doubtless has contributed to excite curiosity to such objects among the "gentlemen of literary endowments," whose



correspondence either with Mr. Taylor or with Cavelly Venkata might advantageously be allowed the indulgence of exemption from postage.—Without first ascertaining Mr. Taylor's willingness to accept the office here chalked out, or consulting him on the extent of the aid he would require, it is impossible to estimate the probable outlay; but the Government records will furnish comparative data, in the sums paid for the "Oriental Translating Establishment," entertained for a period under the late Secretary of the Asiatic Society.—The volumes of Mackenzie papers in our Library might advantageously be added to the other documents, for the proposed scrutiny, so that the whole might be published continuously but these details will naturally come under consideration hereafter, should the Government agree in the view taken by the Asiatic Society, and resolve to entrust the undertaking to the individual pointed out, either directly or through the medium of the Society, (here, or at Madras,) which might exercise its judgment as to the final publication, should Mr. Taylor consent to labour under its auspices. (Signed) J. PRINSEP, Sec. for the Com. of Papers. Aug. 20, 1876.—Resolved, that the Society concur in the view taken by the Com. of Papers, particularly as to the expediency of engaging the eminent services of Mr. W. Taylor for the examination of the Mackenzie MSS. and that the Secretary be empowered respectfully to communicate this opinion, in reply to the Government.—Mr. Charles Brownlow submitted to the Society the following proposition, relative to a complete copy of the *Alif Leila*, or Arabic original of the 1001 nights entertainments, lately purchased by him from the estate of Major Macan, well known as the editor of the *Shah Numa*.—To James Prinsep, Secretary, Asiatic Society, &c. &c.:—Having become the possessor of the original of the complete Arabian Nights Entertainments, formerly the property of Major Macan, apparently the first that has ever reached India; I am desirous of adding to oriental literature a work which has long been a desideratum with Eastern scholars, by its immediate publication. I trust that my views regarding the importance of this work are not unreasonable; at least I am not alone in my opinion, for no book extant has ever enjoyed such universal popularity as this, even in its translated form. Much of its narrative depicts, with miraculous fidelity, that most difficult class of incidents to describe with interest—the incidents of common

life; and beneath even its most grotesque and impossible circumstances, there is a moral beauty—a knowledge of humanity discoverable, which comes home to all, and throughout, a vivid power of description, which is unequalled in any other production, and addresses itself to the mind with an effect almost pictorial. It is the remark of an orientalist of high repute, speaking of this unique and extraordinary work, "that we here behold a genuine portrait of the spirit and character, the common life and domestic manners, of a once powerful nation, which excelled in arts as well as in arms in three quarters of the globe; in these tales we see the Arabs depicted by themselves, in the tents of the desert, and in the courts of the Caliphs. We mingle among their merchants, join them in their travelling caravans, visit them in their social circles, and even penetrate into their harems."—If the book appeal thus powerfully to the European reader, whose sympathies are weakened by distance and difference of habit, how much more emphatically must it address itself to the inhabitants of the east, in the overflowing and beautiful language in which it was originally written.—My chief object in this paper is to draw public attention to the document, and to give such evidence regarding its authenticity as I have been able to collect, under the very difficult and embarrassing condition of having no other complete copy to refer to. My attention has been directed, in the first instance, to the MS. alone, which contains the unbroken series of one thousand and one nights; next, to its quality, which is reported on, by competent persons, to be pure, and remarkably free from literal errors.—My next step was to examine the MS. with the printed edition of the "Two Hundred Nights" published some years since in Calcutta, whence it appears that the latter is a set of excerpts merely, made, in many instances, without regard to the literary value of the selection, and, in some overlooking even the integrity of the tales. These fragments have been arbitrarily renumbered as the "first two hundred nights."—I have been fortunate enough to obtain a copy of that edition of the original now in the course of publication at Breslau, by Professor Habicht, an orientalist of high attainments; he has devoted his life (and it had need be a long one to enable him to fulfil his task) to the publication of a complete edition of this work; he has procured copies of the MS. perfect and imperfect, from Tunis, from Cairo, and from the li-



brary of the Baron Silvestre de Sacy, and is proceeding with the publication, subject to the critical collation of these MSS. I find, on comparing the MS. in my hands, with the edition of Habicht, as far as published, i. e. to upwards of three hundred and fifty nights, that no important discrepancies occur, though in transcripts of this length, there will always be found considerable differences. This fact is curiously illustrated by the German Professor, who has carefully set forth the variations, omissions, redundancies, and inversions of order, found on comparison of his various MSS. It is likewise stated by M. Trebutien, in his preface to a recent French translation of this work (published in 1829) that he collated twelve manuscripts and among them those of the King's library at Paris, and the Bodleian copy, which presented continual discrepancies, both as to style and the order of the tales, which every copyist had arranged according to his own taste. These differences, though they would be important in a historical paper, are of little consequence in a series of fictions. They have manifestly resulted from the carelessness or caprice of the transcriber, and do not affect the value of the work. All that can be done under these circumstances, is to adopt the reading most consistent with the context.—Beyond the point to which Habicht's edition extends there exist here no means of continuous comparison. The evidence of genuineness is strengthened, however, by finding, that the portion of the original already known in the Calcutta edition, is found in the manuscript in my possession except that the stories, in the latter, stand in their natural and proper connexion with the remainder of the text. The tales generally correspond in their order with those found in Scott's translation of 1801, taking into account those contained in the supplementary volume (translated from Wortley Montague's MS.) and allowing for the omission of those which the translator has deemed it best from motives which he assigns, to pass over.—A remark made by the Baron Purgstall (Von Hammer) on the subject of Galland's translation, is another strong proof of the authenticity of the manuscript before me. He says "the MS. used by Galland was far from complete; and if he published no more stories, it was not because the remainder

were less deserving of translation, but because he had no more in his possession. The imperfection of his manuscript compelled him also to invent, as he has done, a conclusion to that story of the Sultan of the Indies: we shall find that Sheherzadi was saved from death, neither by her many amiable qualities, nor by her inexhaustible tales, but by her having, during the 'thousand and one nights,' borne the Sultan three children!" Trebutien's translation, the result of the collation of twelve of the best manuscripts in Europe, confirms this; it is a *literal* translation of the now under consideration; the passage occurs at the thousand and first night, and is unquestionably one of the most pathetic and beautiful in the whole work! To the above may be added the strong *internal* evidence deducible from the uniform character of the style throughout. The manuscript is open for general examination, and I shall gratefully appreciate the opinion and advice of competent orientalists.—With reference to my intention of publishing, we have great advantages in the mechanical facilities, which we can so readily command, in printing oriental works in this country; and a work of this kind, which would take many years in Europe, might be readily produced here in less than twelve months. We have our disadvantages too: for it is far from probable that any editor could be produced here, possessing the high qualifications and the indefatigable industry of the Professor before named, united with the leisure necessary for the undertaking: one, who would carry through the formidable labour of collation, of elaborate verbal criticism, and the compilation of a lexicon of words found in the original Arabic of this work, but in no other authority extant! We may despair of this; but it is not too much to say, that an edition, accurate in all essential particulars may be brought through; and I will not conceal that it would be a source of great gratification to me to be the means of giving to the classical literature of the East, a book, which, while it has enjoyed throughout Asia, and the civilized world, a reputation equalled by none, has been, heretofore, in its complete and original form, but a *name*!—C. BROWNLOW. Calcutta, Sept. 5, 1836.—Resolved unanimously, that Mr. Brownlow is entitled to the warmest thanks of the Society, and of all interested in oriental literature, for his disinterested exertions in regard to the *Alij Leila*, and for his laudable wish to make public the valuable and com-

• Trebutien has since examined the MS. used by Galland, and finds that he possessed only two hundred and eighty-four nights.



plete edition he has become possessed of. As it seems possible, by further comparison of the manuscript with the recent translation of M. Trebutien, and with the Arabic printed version of Professor Habicht, and the incomplete volumes published in Calcutta, to add in some degree to the guarantee of its authenticity, the Committee of Papers is requested to enter upon this examination, and report upon the extent of patronage to be accorded by the Society to Mr. Brownlow's laudable enterprize.—*Journal of the Asiatic Society for August.*

*Ragpoor.*—Captain Lavoine of H. M.'s 3d Buffs was found dead in the Dak Bungalow lately. His death is said to have been caused by determination of blood to the head.

We regret to announce the death of a veteran officer of the Company's service, Major General Sir John Arnold, K.C.B., commanding at Barrackpore, at the advanced age of 81.

The *Hurkaru*, on alleged good authority, gives a most flagrant, but we fear not unextraordinary instance of delinquency in a daroga. A magistrate of vigilant and observing character, riding out one morning, perceived a man in fetters working with the convicts, whose face he did not recognize. He stopped, and enquired who he was, and for what offence committed. The poor creature replied,—*"Hum bu the hie."*—"I am an exchanged man." On investigation the magistrate discovered, that, some days before, one of the convicts had escaped, and the daroga fearing punishment for his neglect, had laid hands on this poor man, whom he found travelling on the road, and placed him in irons, as a substitute for the runaway, and who, from stupidity or ignorance, or more probably the threats of the daroga, had quietly submitted, without complaint, to the penalties of a felon. It is not by any means unlikely, that the man who escaped might have got off by the connivance of the daroga, his friend perhaps, on the understanding that a share in the future spoils of this emancipated Mackbeath, should be honorably transmitted to the compassionate jailor, whose tender disposition was moved at the hazard of his post, to set the captive free. It were well if all magistrates were as accurate observers of the features and persons of all the convicts under their jurisdiction, as the gentleman in question. We have heard of commanders who knew the name and person of every soldier in an army of 100,000 men; a shepherd knows

and distinguishes the face of every sheep in his flock; and we would strongly recommend every official placed in a similar trust to that of the magistrate in this case, to imitate his example.

A sentence in the criminal court of the 21 Pergunnahs, has justly excited surprise and feelings very different from those of approbation. A villain was convicted of kidnapping a girl of seven years of age, from her mother, and of selling her, and it is not known what is become of her. This man, it appears by the report of the proceedings in the zillah court above-mentioned, was sentenced to imprisonment, with hard labor for six months. The inadequacy of such a punishment to such a crime must, we think, strike every one, and it is censurable on very many accounts. The scorn and contempt manifested by such a decision for the feelings of the poor of this country, must make them despair of due protection for all, or any thing, which they hold dear. A magistrate, were one of his own children kidnapped, and removed where his utmost search could not find him, would think the punishment of death were an inadequate expiation for so atrocious an outrage upon the feelings of a parent. It may perhaps be said, in respect to the ordinary sources of mental suffering, that the ryot is too poor to be miserable, he cannot afford to indulge in grief, on occasions when it is disgraceful to wealthy men not to feel sorrow, deep and lasting. But we would ask the magistrate simply, whether it is not likely that a poor widow should feel more acutely the loss of her child, than the fashionable mother who sends her daughter away from her to be nursed, and amid a career of folly and frivolity, scarcely ever sees or cares to see her offspring?—And again we would ask the magistrate, whether, in the latter case, he would think of punishing the criminal by six months imprisonment with hard labour?—It is not wise, if it were not cruel and unfeeling, so to despise the parental feelings of the miserable poor of this country; but, independently of this, we have to reflect that the wretch who stole this child, has sold her most probably to a life of misery; that the crime is of frequent occurrence, and that the punishment awarded in this instance, is greatly calculated to increase it.—We perfectly agree with the *Hurkaru*, that the fellow should be kept in confinement till the child is found.

*Election of Directors.*—A warm contest—a very unusual thing—look place



yesterday, for the Bank Direction.—Three candidates started for the two seats vacant by rotation—Mr. W. F. Fergusson, Mr. Cragg, and Mr. Thomas Leach, the last supported by the self-styled independent or opposition interest. The result of the poll was in favor of Mr. Fergusson and Mr. Leach, who have been declared duly elected. A number of votes were lost by a rule adopted on this occasion, which many parties were not apprized of in time, that proxy votes should not be admitted unless personally given in by proprietors holding them.—*Calcutta Courier*, Dec. 16.

We learn, that Maharajah Hindoo Rao has purchased the estate of the late Mr. William Fraser, on the hill, near the cantonments at Delhi, for 20,000 rupees.—*Delhi Gazette*, Dec. 7.

Rumour has it that Lieut.-colonel Morrieson of the 57th regt. Native Infantry, is about to retire from the service.

**Infanticide.**—The friends of humanity will rejoice to learn that the Rajahs of Malwa have entered into an engagement, abandoning the unnatural practice of female Infanticide.—For this we are indebted to the benevolent exertions of Mr. L. Wilkinson, the Political Agent of Bhopaul.\* From a census lately made to ascertain the extent to which the above inhuman act was committed, it appeared, that among 1,267 children, there were 824 boys and but only 443 girls. This great disproportion in the number of the male and female infants of Malwa, naturally excited surprise and horror: but without having recourse to force, Mr. Wilkinson thought best to accomplish his end by impressing upon the mind of the people the sinfulness of the practice. For this purpose a work, entitled "The Sinfulness of Infanticide," was prepared in the Rangdee dialect, and being printed in Calcutta, copies of it were distributed among all the Rajahs and Rajwaras.—This produced the desired effect. The most intelligent among the Rajahs were led to take the subject into their consideration, and it was found out that the principal cause of the destruction of the females, was the great expense attending their marriage. It also appeared that Sunvee Jeysing had formerly endeavoured to prevent this by issuing an order that marriages should be performed with moderate expense, proportionate to the rank of the parties, and that he gave assistance from the coffers of the state to such as had actually no means of marrying their children. The result of the deliberation was, that a

document was unanimously signed by the Rajahs of Malwa, consisting in substance of the three following resolutions:—1. As the first cause of the destruction of females is the contempt which parents have to give their daughters in marriage to persons of those families in which they have no scruple to marry themselves, it is agreed that all should issue proclamations throughout their respective territories, directing that no person shall give his girl in marriage to another, who scorns to him his own daughter.—2. Should any person kill his daughter, he shall necessarily be expelled from his *Vuttan* and caste; and should any of such persons as may preserve their offspring take money upon his daughter, he also shall be expelled from caste. In case he be poor, and unable to defray the necessary expense, his family and relations shall have the marriage performed, according to their rank: and should he have no family, the marriage shall be assisted by the ruling Rajah, and the ceremony performed suitably to the man's condition.—3. As the *Bhattas* and *Charruns* have a due over Rajpoots, on the occasion of marriage, the same is fixed as follows:—A Rajah, one rupee—Thakoor, or the head of villages, eight annas—Jeerat Enamvalas, four annas—Sipahcees, and low officers, — annas. This however, is no prohibition to any one from giving of his own accord a larger amount.—We cannot too much admire, either the benevolent exertions of Mr. Wilkinson or the very unexceptionable means by which he has effected so humane an object. It is only by such means as these that we can ever expect to eradicate the practice of infanticide from the plains of Rajpootana. Force and violent measures will be of little avail. Gentle persuasion and an unceasing endeavour to convince the Rajpoots of the horrible nature of the crime, can alone create a revolution in their feelings on this subject. We beseech the friends of humanity ever to keep this in mind. The Rajpoots are a high-minded though a misguided people. The very practice of infanticide has its origin in a weakness the cause of which we cannot help admiring, however we may lament the evil consequences to which it leads. It is the pride of preserving the honor of his family untainted that induces the Rajpoot father to murder his innocent daughter. To deal with such a feeling,—in itself so honorable, so praiseworthy,—requires no less delicacy than caution. The friends of humanity should, therefore, take care that, endeavouring to suppress the crime



of infanticide they do not bring on a worse and a more injurious evil. The Rajpoot will never consent to yield to force and violence. He must be made to feel that this abominable practice is as much opposed to the best feelings of our nature, as it cannot but be to the will of Him whom they adore as their God.

*Asiatic Society—Alif Leila.*—At the monthly meeting of the Asiatic Society last night, an interesting paper by Mr. Macnaghten was read, reporting the result of his examination of Mr Brownlow's copy of the *Alif Leila*. Mr. Macnaghten declares himself quite satisfied that the copy is genuine; and by comparison of some of the tales in the third volume with the French translation made from another copy of the same original manuscript, he finds that, while the present manuscript copy is no where deficient, it contains a great deal that is wanting in M. Tretu-tien's translation, which moreover, by the examples given, appears to have been made in a slovenly manner, with little regard to the true meaning of the author, especially where the object was to inculcate a moral. The omissions of the French translator are so considerable in some of the tales, as to give reason to think the Arabic copy, from which the version was made, must have been defective. In illustration of this, Mr. Macnaghten has translated the whole story of "*Abdallah of the land and Abdallah of the sea*," from Mr. Brownlow's—or we should, perhaps, more properly call it the Macan manuscript. In the French version the story stops in the middle concluding with a remark that Abdallah of the land passed the rest of his days very happily; whereas the story is carried on afterwards through several pages, as full of adventures and moral lessons as the first portion of it. The Society, we are happy to add, has determined to contrivise the publication of a complete copy of the work in Arabic without any specific pledge (that not being asked by Mr Brownlow) to subscribe for copies, but many of the members will, no doubt, subscribe individually, and it is expected there will be an extensive demand for copies on the continent of Europe as well as in this country. Mr. Macnaghten's paper will, of course, appear in the next number of the Society's journal.—Among the additions to the museum noticed yesterday, were a couple of boxes of butterflies and insects from Sylhet, in good preservation, presented by Mr. Loch. of the Civil Service; and a copious collection of Buddhist sculptured tablets and images, of the best style of Asiatic sculp-

ture, from the Temple of Sarnaut near Benares, brought down by Captain Cunningham of the Engineers.—*Calcutta Courier*, Oct. 6.

*Saugor Railway.*—We are given to understand, that the agents of the Saugor Railway Company now in Calcutta, are wholly unprovided with instructions except the very general one to wait for them; what else they may be provided with we have not been able to ascertain from our informant. Whatever may be the future operations of this society, and they may possibly perform something considerable and beneficial to the country, it will be some time before they get over here the discredit thrown on the scheme from the very unjustifiable practice that has been resorted to in London of publishing the names of individuals here as taking a leading part in a scheme of which they never heard, and had not the slightest foreknowledge.—Without being practical engineers, and with no more than the general knowledge of the character and features of the country over which any Saugor Railway must pass, we presume we do no more than echo the general opinion, when we express our own very decidedly to the effect, that the completion of a railway which shall extend as far as Saugor is, if profit be sought wholly visionary and impracticable. The shareholders might with a reasonable an expectation of dividends, plan and try to execute a railway to the moon. We will not go so far, however, as to say, that the execution of such a railway, at any cost, is impracticable; but when we consider the great length of the causeway it would be essential to make over such a vast tract of paddy land, the numerous bridges, with wide water ways it would be necessary to build, and very solidly too, and lastly, the very great difficulty of securing such a road, against the effects of such gales and inundations as during the last few years we have witnessed, we confess we doubt whether the execution and endurance of such a work come within the limits of the possible. Such a road would require more of the conservative principle, than we suspect any work of the Bengal Government is likely to be found on the long run to possess. Water is a most radical destroyer when once set in motion, and when it once gets a certain volume and momentum in action, leaves not a vestige of the things that were.—There is one mode, however, by which we venture to suggest the rails, and capital of the Company (if capital there should turn out to be) might be turned to the public



benefit and that of the shareholders. To Diamond Harbour there is a ready-made road; and, we apprehend, that at a very moderate cost, comparatively speaking, this road might be put in good order and the bridges repaired, and then it would be easy to turn it into a rail-road—Such a road to Diamond Harbour, would, for all commercial purposes, be quite as useful we believe, as a road continued on to Channel Creek or the New Anchorage, and we can see no good reason why the new import warehouses might not be built there, if the place were rendered healthy. Now that it might be rendered healthy we scarcely doubt: if a plain of the extent of the Calcutta Explanade were levelled, raised and cleared of every superfluous vegetable production and all but a few forest trees, and then thoroughly drained; if such a plain were then surrounded by a moderately broad and deep canal, not like the Marhatta ditch, but which should be so constructed as to be accessory to the drainage of the whole plain, and, lastly, if a good belt of forest trees were planted outside of such canal, so as to intercept all marsh vapours and miasm, surely it would not be found that a harbour with such a wide deep river in front, and accessible to the sea breezes, and a town seated on such a plain, were more unhealthy than Calcutta! As to the cost, the whole expense of purchasing the area, of raising, levelling, and draining it, and making the requisite tanks, would be a mere trifle compared to that which a Saugor-railway involves.—*Hurkaru.*

The Commissioner of our division (Moorshedabad) has ordered that the Bengali, be in future the language of official business in the five zillahs under him—except in Roobucarries, which for the present may be written in Persian as before. Darogahs are also at liberty to send their reports in Persian—for this reason, that there being few natives of Bengal who are qualified for that office, most of the best ones are upcountrymen, who knowing nothing of Bengali will be unable to conform to the order. It is a pity that this should be so. However, the main measure is a great point gained and I doubt not that in the course of a year the whole of the official business in our division may be done in English and Bengali—the languages of the rulers and ruled.

Enquiries are continually made of us by military men respecting the progress of Mr. George Jephson's code of military regulations. We really cannot say when his valuable work is likely to be finished

now that Mr. Jephson is on his way to the Upper Provinces with the Head-Quarter's staff, but we are certainly of opinion that it would become the Government to afford every facility for the early termination of Mr. Jephson's labors. We believe the Commander-in-Chief is quite alive to the importance of the work, and has expressed himself in favorable terms regarding the manner in which Mr. Jephson is executing his task. It were to be wished his Excellency would perceive sufficient reason for recommending the undertaking to the notice of Government and for suggesting means for its completion. We have reason to know that the code or synopsis is in great request.

Our military readers, many of whom have been sorely perplexed by the confused state of the military penal codes, will be glad to hear that Captain Hough the Deputy Judge Advocate General of the Dinapore and Benares divisions,—an officer well known by his treatises on courts-martial—is at present engaged on a simplification of those codes. We have seen a few sheets of the work as it passes through the press; and we must say that in the absence of a new Company's Mutiny Act—a very great desideratum—we think Captain Hough's labors are likely to prove exceedingly useful to officers employed on courts-martial, courts of requests, &c. He mentions in his prospectus—a copy of which has been sent us,—that “as there are many doubtful points which often cause discussions when the members of courts should be employed in deciding on the merits of a case” he Captain Hough, “is soliciting that there may be declaratory enactments to render such discussions unnecessary.”

**Bonding Warehouses.**—The plan submitted by the Chamber of Commerce for the Bonding Warehouses has received the general approbation of Government, and the answer given to the Chamber, we understand, contains an assurance that measures will be taken to provide an act of incorporation for the subscribers, as soon as their prospectus shall have been settled, and their share list filled up. We, therefore, expect to see the prospectus published forthwith, and a day fixed for closing the subscription, and holding a meeting to arrange the distributions. The old Import Warehouses are the place assigned for the buildings, according to the request of the Chamber; and the Board of Customs and Civil Architect have received instructions to communicate with the Chamber about the rent or



purchase of the premises at a moderate valuation. The letter further states that the Governor of Bengal has ascertained from the Governor General in Council that there is no necessity for any legislative provision to enable persons in the service to take shares, the property not being considered of a nature to come under the existing restrictions to their being concerned in trade.

A wing of the 18th regt. Native Infantry, under the command of Captain Anson of that corps, together with a squadron of the 8th L. C., have been ordered to proceed to Allahabad, for the purpose of forming his Excellency's escort. It is said, the wing of the 18th will accompany his Excellency during his tour, and will be cantoned at Kurnaul during the warm weather and rainy season.—In consequence of the left wing 18th regt. N. I., being ordered to form the escort of the Commander-in-chief, the two companies of that corps, on detached duty at Jounpore, have been ordered to rejoin the head-quarters of the regt., and two companies of the 57th N. I., have been sent off to Jounpore from Benares.—*Courier*, Oct. 22.

*The Bar.*—We regret to learn that the prospects held forth to the junior barristers of the Supreme Court are of a most uninviting description. The public mind in England cannot be too soon disabused of the favorable opinion it has formed of the success attending the legal profession in this country. True it is, enough, and more than enough, a few years ago, rewarded the exertion of professional talent, but the times are altered, and the natives have either become too wise or too poor to indulge their almost proverbial spirit for litigation. We learn that two Gentlemen, Mr. Blunt and Mr. Smyth, who have recently arrived, and been admitted to practice at the Bar, are about to leave Bengal much discouraged by the prospects here held out to them.

The *Exchange Price Current* of Jan. 5, states, that the importation of indigo had been unusually heavy, in consequence of the limited amount of advances to be made by the Company, and which were absorbed by the beginning of December. About 35,000 maunds were purchased, before arrival, at rates ranging from 185 to 190 sicca rupees; and subsequently sales had been effected at slightly improved prices. It was estimated that 70,000 maunds had been sold within a short time, and that there was no chance of any decline of prices. The crop, it was believed, would not exceed 113,000 maunds; and that from loss of weight,

owing to early dispatch from the factories, the quantity exported would not exceed that of last year. The exports were classed as follow:—

Britain . . . . .	76,000
France . . . . .	21,000
America . . . . .	8,000
Gulf . . . . .	4,500

109,500

Consumption and loss in wastage 3,500

113,000

The sugar duty it appears, had been in a very unsettled state, arising entirely from the uncertainty that was experienced regarding the "certificates of origin," required by the Equalization of Duties Act, to admit East India sugar into England at the reduced duty; but it being considered subsequently that the difficulty was got over by the documents produced, improved prices were supported by an active demand. The demands for raw silk continued extremely brisk, and, notwithstanding the large exports, an improving prices. The new crop of table rice engaged much attention, and was actively bought for shipment to England at higher prices than those of the last two years. The first sale of the season, of opium, took place January 4, at the Exchange. There were put up 5,000 chests Patna, and 2,000 chests Benares. The attendance was greater than had been witnessed for many years, and the biddings were sustained with considerable spirit. The price commenced at 1,365 rupees for Patna, and soon reached 1,685. Native speculation had much effect; but the fact of there being large funds to be remitted by way of China contributed to raise the prices. —A large amount of bills had been disposed of within the preceding month, with and without the collateral security of shipping documents at 2s 4d to 2s 4½d per sicca rupee, but the last quotation was 2s 4d to 2s 4½d, the former with, the latter without, documents.—Freight to England was giving way materially, under the pressure of the increased amount of shipping in the river.

*Medical Quarterly Journal.*—We observe with pleasure that an important desideratum is about to be supplied to the medical profession in this country by the publication of a Quarterly Journal under the auspices of the Medical and Physical Society of Calcutta, and under the immediate and responsible management of the Secretaries of that institution.

*Registration of Cooly Passengers.*—We rejoice to find that Lord Auckland



has already taken measures for putting the exportation of coolies under such regulations as shall secure to those poor, but useful emigrants, protection on their passage, from similar sufferings and casualties to those which were encountered by so many unfortunate emigrant passengers to America.

*Nepaul*.—The Raja of this state, instigated no doubt by the representations of the talented British Resident of Catmandhoo, and those of the late traveller, Bheem Singh, is founding a school and a hospital. In the former, English will be taught with the Nepalese and Persian.—It is also to comprise a Pyrotechnical school, and will contain altogether an educational establishment, equal to the instruction of 1,000 scholars: the conduct of this barbarian is really a reproach to our civilized British rulers.

By late accounts received from China it will be seen that the celestial Government have it in contemplation to legalize the importation of opium, by a repeal of the laws at present prohibiting it, but which have been shewn by experience to be utterly ineffectual in attaining the object for which they were intended. Making this virtue of a necessity has long been so obviously recommendable to the financial consideration of the shrewd Chinese, that the adoption of the measure will no way surprise us. Indeed the attempt made about two years back vigorously to enforce the penalties on opium smuggling, and its proved futility, struck us always as an expiring effort for correction of the practice, which must resolve the Government into plans of turning to its own advantage what now only repays costly and desperate means of violating its laws. The consumption of opium has grown so much a habit of life with the Chinese people, that prohibitory laws of the severest order are quite insufficient to prevent its introduction; death is constantly braved in its importation, and love of the drug itself as well as the force of bribery combine to make the very officers appointed to enforce the exclusion lend a cloak to cover its violation.

*Reports on Imposing Town Taxes.*—(Circular, No. 1034.)—To the Magistrate of ——. Sir,—I am directed by the Right Hon. the Governor of Bengal, to transmit to you the accompanying copy of a letter from the Secretary to the Government of India, under date the 30th ultimo, and to request that you will, as soon as practicable, furnish answers to the several queries which it conveys relative to the provisions of means for carrying into effect municipal improve-

ments in the large towns of the lower provinces: I am, &c., R. D. MANGLES, Secretary to the Governor of Bengal.—Fort William, the 14th June, 1838.

No. 60.—To R. D. Mangles, Esq., Sec., Judicial Department,—Sir,—The attention of the Supreme Government has recently been attracted to the question of providing means for carrying into effect such municipal improvements as may be necessary or desirable, for the security or comfort of the numerous opulent and populous towns throughout India.—2. It has occurred to his Lordship in Council, that as the town duties have now been given up within the Presidency of Fort William in Bengal, the inhabitants of the large towns may fairly be called upon to contribute to defraying the expense of such improvements as are required for their own convenience, and that within the Presidencies of Fort St. George and Bombay, (where the town duties have not yet been given up) it may be proper that a portion of that impost may be reserved when the boon, that has been lately granted to the towns of the Presidency of Fort William in Bengal, may be extended to those of Fort St. George and Bombay.—3. It is desirable, in the opinion of the Governor General in Council, that some general plan should be devised to meet the municipal contingent expenses of the nature adverted to, and in order to obtain the best available materials for forming an opinion on the subject, I am directed to request that you will, with the sanction of the Right Hon. the Governor, obtain replies from the several magistrates within the Presidency of Bengal, to the following queries:—1st. In the large towns of your district, what method is resorted to for repairing the walls and streets, for promoting the cleanliness of the town, and for the general preservation of the health and comfort of the inhabitants?—2d. If any tax or impost is collected for municipal purposes, be pleased to detail the nature and particulars of it, and the mode in which it is collected.—3d. Is such tax or impost collected separately from or as a part of the town duties, and supposing these duties to be abolished, would such tax or impost be absorbed in them, or continue to be levied?—4th. If the expense of cleaning and repairing the town is charged to the town duties, how would you propose to defray the charge, in the event of the town duties being no longer available?—5th. If you would propose to defray such expenses by means of a tax on the inhabitants, to what towns in your district would you propose to ex-



tend the plan, and by what means would you levy and disburse the amount assessed, whether by a committee of the inhabitants, or by means of the servants of Government, or by a committee composed of both classes—6th. Be pleased to afford the best information in your power as to the sum annually required for the cleaning and repairing of the several towns, with your sentiments as to the least exceptionable mode of raising it. I have, &c., (Signed) W. H. MACNAGHTEN, Secretary to the Government of India.—Council Chamber, the 30th May, 1836.

**CIVIL APPOINTMENTS.**—Sept. 28, The Dep. Collector of Land Revenue of Monghyr, for the time being to be vested with powers of dep Opium Agent at that station—27, Mr H. B. Brownlow to be Magistrate and Collector of Jessore, but to continue to officiate as Magistrate and Collector of Midnapore till further orders—Mr C. Grant to be Magistrate and dep. Collector of Hooghly—Mr G. T. Shakespear to be Commissioner in Soonderhuns under Reg. IX. of 1816—Oct. 15, Capt. J. Graham 50th N I. to officiate as Asst to Agent at Delhi during the absence of Lieut Phillips—29, Mr J. Gordon to officiate as a Commissioner of Court of Requests during the absence of Mr. C. W. Brietzke—Nov. 1, Mr J. W. Templer to officiate as Civil and Session Judge of Jessore in room of Mr C. Phillips—Mr. H. W. Torrens to officiate as deputy Register of the Courts of Sudder Dewanny and Nizamut Adawlut, and Preparer of Reports in room of Mr Donnelly—Mr W. M. Dirom to be joint Magistrate and dep. Collector of Rajshahye—7, Col. M. Dunlop to perform duties of Magistrate in the Camp of the Commander-in-chief under provisions of Act No. 26, of 1836—Mr J. W. Templer re-appointed to be additional Judge at Tirhoot—Mr. J. S. Dick to be Collector of zillah Patna, vice Mr Jennings removed—Mr R. P. Harrison to be an Asst under the Commr of Revenue and Circuit of 16th or Chittagong division—Mr. C. Tucker to act as Judge of Courts Sudder Dewanny and Nizamut Adawlut, in room of Mr Halhed—Mr C. E. Trevelyan to be a member of Prison discipline committee—Mr C. Mackenzie to officiate as joint Magistrate and deputy Collector of Agra—Mr W. P. Okedon to be Magistrate and Collector of Shahjehanpore—Mr J. S. Clarke to be Magistrate and Collector of South div. of Moradabad—Mr M. Smith to exercise powers of joint Magistrate and deputy Collector in Mozuffernugger—Mr J.

Curnin has resumed duties of deputy Assay Master Calcutta Mint.

**FURLONGS.**—Messrs. C. M. Caldecott, A. Lang, R. W. Maxwell, C. C. Jackson H. Pidcock. J. G. Deeds.

**GENERAL ORDERS**

Fort William, Legislative Department, Oct. 10, 1836.—Resolution—The Zemindarees of Goomsur and Soorada, in the district of Ganjam, have long been in a state of the utmost disorder and confusion. The revenue due to Government has for many years past been paid with great irregularity. The Zemindars have frequently been in a state of actual rebellion. The authority of Government has been openly resisted, and the most atrocious acts of violence and outrage have been perpetrated by the Zemindars and their adherents. Although such measures as were consistent with the principles and provisions of the existing Regulation have from time to time, been adopted by Government and by the local authorities, with a view to the establishment of good order and permanent tranquillity in those Zemindarees, the attainment of that important object has been frustrated by peculiar obstacles arising from the nature of the country, the character of the inhabitants, and other special and local difficulties. The failure of all measures hitherto adopted under the existing laws to restore tranquillity—the increasing prevalence of disorders, which if not speedily suppressed, may extend to the neighbouring estates, and the continued resistance opposed to the authority of Government have at length rendered it necessary that the ordinary functions of the courts of civil and criminal justice, and the operation of the general regulations should, for the present, be suspended in that part of the district of Ganjam, commonly known under the denomination of the Zemindarees of Goomsur and Soorada, and that a commissioner should be appointed for those Zemindarees for the purpose of exercising such powers, and discharging such duties, as may be specially entrusted to him, under the instructions of the Governor in Council of Fort St. George, with a view to the collection of the rents, the establishment of a regular police, and the restoration of public order and tranquillity.—his Lordship in Council has, therefore, been pleased to direct that the following Act be passed, and it is hereby passed accordingly and promulgated for general information:—Act No. XXII. of 1836.—1. It is hereby enacted, that from the 15th day of Nov.



1836, the ordinary functions of the courts of civil and criminal justice, and of the constituted Revenue authorities, as well as the operation of the whole of the existing Regulations, shall be suspended within the Zemindarees of Goomaur and Soorada, and shall continue to be so suspended until this Act shall be repealed, or until such time as the Governor in Council of Fort St. George, shall, by an Order in Council and Proclamation, declare that the ordinary Regulations shall be again put in force within those zemindarees.—II. And it is hereby enacted, that it shall be lawful for the Governor in Council of Fort St. George to appoint a Commissioner for the said zemindarees who shall exercise such powers as may be entrusted to him by the said Governor in Council of Fort St. George, and shall be guided in the discharge of his duties and functions by such instructions as he from time to time, shall receive from the said Governor in Council.—III. And it is hereby enacted, that nothing in this Act shall be construed to affect the jurisdiction of the Court of Circuit, or Court of Sudder Foujdaree Adawlut, in any case which may be depending before either of these Courts on the 15th day of November, 1836.—IV. And it is hereby enacted, that the Court of Circuit and Court of Sudder Foujdaree Adawlut shall have criminal jurisdiction over every person whom the Commr in Goomaur and Soorada under the instructions of the Governor in Council of Fort St. George, may commit for trial, on the charge of any crime perpetrated before or during the operation of this Act—and in all such cases, the Court of Circuit and Court of Sudder Foujdaree Adawlut shall be guided by the general Regulations in force.

#### GENERAL ORDERS.

No. 191 of 1836.—In conformity with instructions from the Court of Directors, the following paragraphs of their Military letter, No. 6, dated the 1st June 1836, addressed to the Governor General of India in Council, are published in General Orders:—Para. 1. Having received from the President of the Board of Commissioners for the affairs of India a communication that it would be satisfactory to the King if the standards and other war trophies, captured by the King's and Company's forces in India, were placed at his Majesty's disposal, it being his Majesty's intention to collect all similar relics and place them in the great Hall and Chapel of the Royal Hospital at Chelsea. We derived much gra-

tification from a compliance with the wish which had thus graciously been expressed, and took immediate measures for accomplishing the object in view.—

2. We accordingly forwarded to the Royal Hospital, the standards, &c., enumerated in the following list; viz:—Two state standards of Hyder Ali and Tippoo Sultaun, taken at the storming of Seringapatam, on the 4th May, 1799.—Two pendants belonging to the above standards—Colors of the French corps, taken at the storm of Seringapatam.—Colors which belonged to the brigades of General Perron, taken in the Mahratta war of 1803.—Seven standards taken from Mahratta regular corps at the battle of Assaye, on the 23d Aug., 1803, by the army under Major General Sir Arthur Wellesley.—Sixteen colors taken from the Mahratta regular corps, in the campaign of 1803, by the army, under Major General Sir Arthur Wellesley.—A pair of colors of a battalion of Goorkas taken at Muckwanpore, in the Nepaul war, on the 28th February, 1816, by the forces under the command of Major General Sir David Ochterlony, K. C. B.—Three colors of Durjan Sal, taken at the storming of Bhurtpore by the forces under the command of Genl. Lord Combermere, on the 18th January 1828.—3. Being desirous to mark the interest which we attach to these trophies, won by the valor of the King's and Company's forces in India we requested our Chairman and Deputy Chairman to attend at the first levee, after the colors should have been deposited at the Royal Military Hospital, for the purpose of presenting to his Majesty a list descriptive of the colors, and of the occasions upon which they were captured.—Our Chairman and Deputy Chairman (accompanied by a considerable portion of the Court of Directors) attended accordingly, and were most graciously received.—4. You will perceive from the list which we have quoted, that we possess comparatively few of the military trophies which have been won by our armies in India. The rest, we should hope, have been carefully preserved at the seats of Government of the respective Presidencies, and in order that we may follow out, in the most effectual manner, the object of concentrating in one appropriate building the whole of the military trophies taken by the British arms, we now desire that such as are in the possession of your Government may be forwarded to us, accompanied by a list descriptive of the occasions upon which



they were captured.—5. You will cause a copy of this dispatch to be published in General Orders."

No. 194 of 1836.—The following extract (para. 3 and 4) of a Military Letter from the Honorable the Court of Directors, No. 31, of 11th May 1836, is published for general information:—Letter dated 15th June 1835, (No. 64.)—Forward copy of a General Order issued modifying the 2d and 4th clauses of the Government Orders of 17th Aug. 1827, No. 163) and strongly recommend the discontinuance of the Regulation which compels Government to select Officers for Staff employ from the regiment from which fewest are absent: a restriction which is, in the opinion of Government, both embarrassing and injurious to the public interests.—Para. 3.—The General Order No. 133 of 1835, dated 25th May, 1835, modifying the Genl. Order of 17th August 1827, is sanctioned.—4. In compliance with your earnest recommendation, we also authorise you to abolish "the other restrictive Regulations relating to the withdrawal of European Officers from regimental duties, with exception to the Original Order restricting the number of Officers to be taken from any regiment or battalion to five, and that no more than two of those withdrawn should be Captains, and three subalterns."

No. 193 of 1836.—The Governor Gen. of India in Council has great pleasure in publishing to the Army, the following extract (paragraph 3) of a Military Letter from the Honorable the Court of Directors, No. 3, of 11th May 1836, permitting Officers to retire on half-pay, who may be compelled by wounds received in action, or by ill-health contracted on duty, to return finally to Europe, after three years service in India.—Para. 3. Having taken into our consideration the distressed situation to which our officers are sometimes reduced by bad health, at an early period of their service, we have resolved, that Officers who shall be compelled to quit the service by wounds received in action, or by ill health contracted on duty, after three years service in India, shall be permitted to retire on the half-pay of their rank on the production of the usual certificates that their health will not permit them to serve in India.

Head Quarters, Calcutta, 30th August 1836.—At a General Court Martial, assembled at Mhow on the 15th day of July 1836, Ensign John Terry Harwood, of the 68th regt. N I, was arraigned on the following charges; viz.—Charge.

For "unofficer-like conduct, and disobedience of repeated General Orders, in having borrowed from Subadar Major Sewraj Sing, of the same regiment, several sums of money, amounting with interest to sonat rupees 624; for which sum Ensign Harwood gave a note of hand, dated Mhow 26th March 1835, witnessed by Serjt Major Hume of the same regiment, promising to pay the said sum of 624 rupees by monthly instalments of 100 rupees, on account of which instalments, sums amounting to 115 rupees 14 annas only have been paid by Ensign Harwood.—Additional charges: 1st. With conduct dishonorable and disgraceful to the character of an officer and gentleman, in having, whilst in charge of the 5th comp. 68th regt, on the 31st of March 1835, cancelled two sepoy's family remittance drafts, No. 128, dated 17th March 1835, on the Collector of Cawnpore, for sonat rupees 45, and No. 57, dated March 17, 1835, on the Collector of Shahabad for sonat ru. 52-4-0, without the knowledge or authority of the remitters; and not having subsequently renewed these draughts nor refunded the money to the sepoy; thereby defrauding Bakharee Chowhay, sepoy, 5th comp. Radhay Sing, sepoy, 5th comp, and others, to the above amounts.—" 2d. For falsely stating, in a letter, dated 11th April 1836, to the address of Capt. Des Vœux, in charge of the military chest at Mhow, that the above transaction took place early in February 1835, and that the amount of the above-mentioned drafts had been returned to the military chest office for fresh drafts.—Finding: The Court having maturely weighed and considered all that has been adduced in support of the prosecution, as well as what has been brought forward on the defence, are of opinion, that the prisoner Ensign John Terry Harwood, of the 68th regt N I, is,—Of the original charge, guilty; of the 1st additional charge, guilty; of the 2d additional charge, guilty.—Sentence: The Court having found the prisoner guilty of the charges preferred against him, do sentence him, Ensign John Terry Harwood to be dismissed the service.—Approved, (Signed) H. FANE, Genl. Commander-in-chief, East Indies.—Calcutta, Aug. 25, 1836.

Ensign Harwood is to be struck off the strength of the 68th N I, from the date of this order being made known to him, which the commanding officer of the corps will report specially to the Mily. Secy. to the Commander-in-chief and to the Adj't General of the Army.



Head Quarters, Calcutta, 7th Sept. 1836.—Twelve months have now passed since the Commander-in-chief had first the honor to address himself in public orders to the army of India.—The time which has since elapsed has served but to strengthen those feelings towards the army which he then expressed.—He has been gratified to a high degree by the attention which appears to have been paid to such advice as he has from time to time offered; which he feels to have been evinced by a nearly total absence for many months of those errors which he deemed it his duty to remark upon.—He looks forward with great pleasure to the more intimate personal acquaintance which he hopes shortly to have an opportunity for making with such parts of the army as he has not hitherto seen.—Being about to leave Calcutta, for the Upper Provinces, he has a pleasing duty to perform previous to commencing his journey, in making known to the officers of the general staff, and to those departments of the army which are stationary at the seat of Government, the satisfaction which he has derived from observing the able manner in which he has generally found their duties to be performed; and from the knowledge which he has acquired of their various merits, during his personal intercourse with him.—His Excellency's Head-Quarters will no longer be at Calcutta, after the 12th inst.

**MARRIAGES.**—Sept. 20, near Cawnpore, T. Sutherland, Esq. to Mademoiselle M. R. C. Augier—Oct. 6, at Saugur, J. B. Clapperton, Esq. Surgeon, 6th L. C. to Maria, daughter of Colonel H. Faithful, Art.—14, A. Parker, Esq. to Eliza, eldest daughter of H. Barrow, Esq.—15, at Kurnaul, G. King, Esq. B. L. I., to Katherine, 4th daughter of M. Sheridan, Esq. of the same corps—at Saugur, J. B. Dickson, Esq. Asst Surg., 64th N. I. and in medical charge of div. Staff, to Mary, youngest daughter of the late A. Pringle, Esq. of Ker Maids, Roxburghshire, Scotland—19, Captain E. D. O. Eale to Miss M. E. Lemondine—27, E. D. R. Amman, Esq. to Mademoiselle Latour—28, H. H. Atkinson, Esq. to Hester, youngest daughter of the late Lieut R. Hodgkinson of the Madras Army—29, at Ambala, G. R. Clerk, Esq. to Mrs M. Stewart—31, Paul Rayson, Esq. Cawnpore Factory, to Anna, eldest daughter of the late J. P. Reynolds, Esq. Asst Surgeon—Nov. 8, Captain W. A. Ludlow, 12th N. I. to Mary Anne, youngest daughter of the late Major Ferris, Bengal Art.—9, Mr J. Charles, Baptist, to Eliza, daughter of Mr Hel-

mick—14, Mr E. Jones to Mrs M. Mac-Lauchlan—12, Mr J. George to Miss C. Gomes—Mr. J. A. Potter to Miss A. Stephen—Mr. B. W. Lazarus to Mrs A. Scott—14, Captain C. Dallas, Art., to Eliza Helen, only daughter of Dr. Mellic, Art.—15, Captain N. J. Cumberlege to Fanny, youngest daughter of W. Knyvett, Esq. of Ryde—Captain H. Doveton, D. A. Com. Gen. to Grace, eldest daughter of the late W. W. Hutchinson, Esq.—25, at Cawnpore, Mr W. Gee to Rose, eldest daughter of the late S. Greenway, Esq.

**BIRTHS.**—Aug. 17, at Boolundshahur, the lady of M. J. Tierney, Esq. C. S. of a son—21, Mrs C. Rodrigues of a daughter—26, at Kurnaul, the lady of Lieut J. C. Innes 61st N. I. of a daughter—Sept. 1, at the Residency, Hyderabad, the lady of Major J. A. Moore, Military Secretary to the Resident, of a son—5, at Mussoorie, the lady of Lord H. Gordon of a daughter—at Mussoorie, the lady of Captain Debude, Engrs., of a daughter—10, at Simlah, the lady of R. Laughton, Esq. Asst Surgeon, of a son—15, at Cuttack, the lady of C. L. Babington, Esq. of a daughter—26, at Otter, Tirhoot, the lady of W. H. Sterndale, Esq. of a daughter—29, at Seebpore, Mrs J. Ginny of a son—at Baitool, the lady of J. H. Chowne, Esq., 66th N. I. of a daughter—Oct. 4, at Fort William, Mrs G. Benney, widow of the late Mr T. Benney, of a son—30, at Dum Dum, the wife of Serjt. T. O'Connor of a daughter—Nov. 4, the lady of the Rev J. G. Linke, of a daughter—at Cawnpore, the lady of J. C. Wilson, Esq. C. S. of a daughter—5, the lady of J. Lamb, Esq. C. S. of a daughter—6, Mrs S. Pereira, of a daughter—the wife of J. G. Ricketts, Esq. of a daughter—at Dum Dum, the wife of Mr. Asst Apothecary W. D. Tugman, of a daughter—7, Mrs J. Howatson of a daughter—Mrs G. H. Swaine of a daughter—10, Mrs W. Wood of a daughter—12, the wife of Mr G. Brown of a son—at Alipore, the lady of J. H. Patton, Esq. of a son—the wife of Mr. G. Rebella of a daughter—13, the lady of J. S. Dumergue, Esq., C. S. of a daughter—14, Mrs L. Young of a son—Dec. 15, the lady of J. R. Hutchinson, Esq. C. S. of a daughter—Jan. 3, at Eck'daha Factory, the lady of G. Wine, Esq. of a son.

**DEATHS.**—Sept. 21, Mrs J. Nash—26, at Agra, Mr C. Lavade—Oct. 3, Mr J. Thomas, junior—at Chowringhee, Frederick, son of Mr C. R. Barwell—Lately, at Ranpoor, Captain Lavoine, H. M.'s 3d Buffs—at Barrackpore, Maj. Genl Sir J. Arnold, K. C. B.—7, at Meerut,



Captain T. A. Vanrenen, H. Art.—10, at Sultanpore, Benares, Major F. J. Spiller 8th L C—15, at Cawnpore, Ensign A. H. Kennedy, 1st N I—20, Mr G. Williams—22, Miss J. S. Joice, ward of the Upper-Orphan School—23, Mrs Elizabeth Judge, relict of the late J. Judge, Esq.—A. Liddell, Esq—25, at Khyook Phyoo, the lady of Major T. Dickenson, Commr of Arracan—26, J. Kyd, Esq. J. Fountain, Esq, Attorney—at Delhi, Serjt W. Dayley, Overseer—29, at Barrackpore, the lady of Dr. Row, 73d N I—30, at Balasore, Mary, wife of E. Repton, Esq, C S—Jane, wife of Mr T. Ostell, Bookseller—at Delhi, Conductor P. Irwin—31, Thomas, infant son of the late Mr R. Little—Nov. 1, at Meerut, Mr M. Hickie, sen. Merchant of Meerut—3, near Dinapore, Mr J. B. Burrow—4, Mrs J. V. Beck—6; at Howrah, W. Ambrose, Esq—7, Miss E. F. Scott—Mr. F. Hayer—8, Miss S. Power—Master J. H. Rodrigues—9, Mr T. Gilpin—10, Master R. A. Rodrigues—11, Mr A. Webster of the bark "Lawrence."—14, Mr C. Ramli-t—Mrs C. Helmick.—Dec. 16, Miss M. Lescot.

### Madras.

The following is an extract of a letter dated Madras, Dec. 5, 1836.—"A truly distressing accident has occurred here, in the death of Major General Sir George Elder, who arrived only yesterday week in the "Lady Flora," and whose funeral I attended last night. He had been appointed to the Staff here, and dined with the Court of Directors the very same night with my Chief. He was a most distinguished officer, and fought his way up to the rank he held.—Since his arrival he has ridden a Cape horse, belonging to the Commander-in-Chief, one which he himself has ridden daily for upwards of a month, and which was, in every respect, perfectly quiet; indeed too much so, being quite sluggish. On Friday morning the 88d foot was inspected, and though the horse had never been on a parade in his life before, he was perfectly steady amid the firing, so much so as to excite observation. On Saturday forenoon, poor Sir George Elder called here, and asked for the horse to ride in the evening. I ordered it down to him at Government House, where he was staying, and, contrary to the advice of his Aide-de-camp, he rode out—for he had been complaining a good deal of his head. He was coming from Government House, up the Mount Road, to our house, to join our party, and this is the last distinct account we have of him: we only know for certain that the horse

ran away with him, and either dashed or threw him against a tree with such dreadful violence, that he must have been *instantaneously* killed—nearly all his ribs on the left side were broken, two of them forced through the chest, his lungs, spleen, and heart extensively ruptured, the cheek bone, and its connexion with the head broken, and his shoulder fractured.—By the *post mortem* examination, it appears, that his brain was diseased, and that he could not have remained alive long in this country; he was subject to vertigo and pains in the head, for which he has for the last two years been under treatment, from which he suffered a good deal on board ship, and of which he had complained since landing; more particularly on the day of his death. After hearing the thousand accounts which there always are on an occasion of this kind, the most rational conclusion we can come to is this, that he must have felt his head going wrong, which occasioned him to throw his legs out of the stirrups and call for help, which he is represented to have done; the horse feeling himself unrestrained, must have gone on, and Sir George finding this, must instinctively have clung to him—which the same account also says he did—his spurs must have goaded the horse into fury, and so the fatal catastrophe occurred.—It happened just at the end of the road leading from the Mount road, but on the opposite to our turning, so that he must have been pulling at the horse.—The Commander-in-chief had gone out, about seven miles off near the Mount, to look at some ground for a review, and heard nothing of it till he came home. He was dreadfully shocked, and is excessively cut up about it, and has been reproaching himself ever since; but he is entirely blameless. The horse has hitherto always gone as quietly as any animal could possibly do, and it must have been something extraordinary, which worked him up to run off, for he is a downright slug, and takes whip and spur kindly.—The doctors all seem to think it was, as I have stated above, and since beginning this letter I hear from his own Aide-de-camp, that the physician at home sent out cupping glasses with him, and orders to apply them immediately on any symptom displaying itself. Another of the Commander-in-chief's Cape horses, the fellow one of the pair, nearly did for his European servant, a dragoon, the other night; but this was the man's own fault, for riding out on the road a young horse that had not been out of the compound for six weeks, nor mounted for a month



before. He was with me, and we met a carriage at which his horse was uneasy; but I did not see him thrown, as we passed on different sides: I saw him on the ground, the horse dragging him along by the bridle, and, not liking his appearance behind, kicked out at him and struck him right on the forehead and eye; he fell as if he had been killed, and I thought he was; but it turns out, he is not much hurt. He was bled immediately, and I saw him next day in the hospital, his eye closed and his face a good deal scratched, but otherwise not much the worse. Some good-natured people have said it was the same horse which threw the servant that killed poor Sir George Elder!—It is truly a most appalling instance of the uncertainty of life. We are all much grieved at it, but Sir Peregrine and Lady Sarah are seriously affected by it; especially the General, on whom it has made a very deep impression."

**Goomsoor.**—We learn that the Irregular Horse which were applied for by the Hon. Mr. Russell, instead of a troop of Light Cavalry, are on the move to the seat of war, under the command of Capt. Byam of the Artillery, and may be looked for at Berhampore about the 6th proximo. It was thought some time ago that operations would commence about the 1st November, but it is now considered that more than half, if not the whole, of next month will expire before troops will be prepared to renew hostilities. We believe, it is expected that when the troops have passed the Ghauts, they will be no longer subject to the fever which has been so fatal in the low country.—Oct. 25.

We understand that in consequence of the extreme slowness of promotion in the regiment of Artillery, a proposition has been lately set on foot, and is now being submitted to that corps, which is likely to be attended with beneficial results to all parties. A meeting was held at the Mount, on the subject, the other day, when the plan, in contemplation, met with the unanimous approval of those assembled.

We are sorry to learn that Lieutenant Salmon of the 43d N. I., died of fever after three days illness only.

We now proceed to unveil some of the worst features of the past campaign in Goomsoor.—We have afforded some means of judging "how the troops were handled in the field." The measure of suffering through which the results, or no results, adverted to were accomplished, and followed up during the

monsoon, should rest on the faith of exact returns alone not commanded by us, and be stated by the pen of Defoe not ours. In general terms, it may, however, be said, that one regiment left the field without a single officer or a single section fit for field duty. A detachment of two companies of gallant men, most gallantly led, is said to have been exquisitely attenuated to two officers, one jemadar, one recruit boy and a drummer! Another corps of fine and admirably commanded men, half of whom had, with their officers, been seasoned in the previous campaigns of Krimedy and Palcondah, the rest stout young soldiers who had but recently replaced the casualties of the preceding five years—in which period full half the regiment has perished—this corps at the end of the campaign, having lost, temporarily or for ever, two-thirds of its officers, could scarcely have afforded for service a really effective sub-division. And then too, the fearful sufferings of the 44th regt., which some idiot scribbler in a Madras paper has dared to taunt with prostration! It appears that this corps was devoted by companies to the maintenance of a jungle out-post, where veterans, young men, or the recruit boy, inevitably and alike drank poison as if from the bowl. No flesh was spared at Moojygudda—there was no passover. An out-post, too, for whose maintenance, whatever the occult reason might have been, there was certainly none apparent, why even the life of a dog should have been imperilled—an out-post, for whose undisputed maintenance, though in the very district of Dora Bissoye, a few acclimatized se-bundees have been since found amply to suffice.

"Hearts are not flint and flint is rent"  
And, on quitting the field, the 44th regt, was compelled to decline, to afford with its whole remaining strength, a paltry escort to the boy heir of the Goomsoor Zemindary then proceeding along the coast, on his route towards Vizianagram. Let us contemplate the rumoured causes of these sufferings, according to our first intention, in the proportion borne by the food and carriage, and the system of intelligence and medical arrangement to the exigencies of the service.—First, then, of the supply of food and carriage.—The first brigade which entered Goomsoor, found itself, at the end of its first march, without a seer of rice or a pound of meat in camp. On its second halting ground, it was compelled to pause for eight most critical days, to procure supplies. For the remaining period of actual field



service, until close upon its termination, the main source of all suffering and disease, according to every medical and military report, in a force placed betwixt the all-producing delta of the Maha Nuddy, and the endless rice-fields of Ganjam, in the cheapest district of India, overflowing with men and cattle, and bounded by the sail-swept sea, was an insufficient supply of food! No colouring can add force to this simple statement.—We forbear all details. The complaint is not that the troops suffered, but that their sufferings, and they were matchless, were entirely gratuitous and almost entirely ineffectual. Let it be recorded that they suffered well. As to field carriage, it is hard to say, whether the proportion, in which it existed, tended more signally to illustrate the foresight and energy of Sir F. Adam, or the providence of God. The elephants and camels, employed in conveying the ex-Rajah of Coorg, with his family, towards Benares, chanced by the merest accident on earth to be on their return by Ganjam, and to be available. Now, let it be supposed for a moment, that the poor madman of Coorg had made up his mind to drive out his days amongst the hills of Tripetty, or with the monkeys of Seringham or Conjeveram—or that the prize committee of Mercara had been if possible even more trenchant in its proceedings, so that the Rajah's baggage had become as light as his wives were said to be—or that the poor man's lunacy had chanced again to know a blue-beardish or a monogamic phase—and what would have become of the campaign in Goomsoor? And who can doubt that a special providence may be as mercifully evinced, in a supply of the larger Mammalia, as through quails and manna? Next to the want of food to men, whose energies were constantly overstrained in an atmosphere of pestilence, the want of carriage to distribute supplies when collected, and to transport the sick and wounded, was perhaps the most deplorable and the most disgraceful want in Goomsoor.—To-morrow we shall treat of the intelligence department and medical arrangements, and shall conclude our present article with a brief episode on hanging.—Rarely has civil change been more sanguinary; rarely has a larger oblation of life been made to mixed political and criminal justice, than in the miserable zemindary of Goomsoor. Now, as if it had been determined to lay aside the decencies of modern criminal procedure, with the advantages of modern war—the duties of penal execution, other-

wise unprovided for, have been hitherto virtually, not formally, imposed on the officers of the field force. How this has been met by men ever ready to deal with the sternest exigencies of service, it matters not to enquire. But, notwithstanding a page of *facit*, by the Madras Military Board, dated Fort St. George, 15th June, on the nice point of "making one noose do the turn of a dozen Goomsoorians," it is doubted whether Madras officers are so exceedingly intelligent in gibbet machinery, so curious in line and noose work, as some people seem to imagine. We doubt whether the strangling of Khonds, and the suffocation of Goomsoorians, be of their proper vocations.—Even General Evans's legion, not unfamiliar with Old Bailey practice, is graced by the institution of Provosts Martial, and we do not believe that the officers of any portion of the army of India congratulate themselves, more than do that legion, or than did Macbeth, on having "hangman's hands." There is another view of this subject, which, if Colonel Napier is right in attributing cruelty to Sir F. Adam, will weigh but slightly with that personage.—There is no doubt that the absence of the functionaries, due to the extreme office of the law, in Goomsoor, has been the means of inflicting, not death only, but an amount of horrible and disgusting torture, at the thought of which humanity shudders and which decency abhors, upon men, whose crimes have, in some cases at least, been—what it would take more cannistry than we have time for to determine. Still we do not object to the work of criminal execution being made matter of general military regulation. Might not Sir Frederick Adam worthily employ his approaching leisure, and the added influence which his Indian military reputation will carry at the horse guards and with the king, to compose a section of penible formalities, to be added to the "Book of Field Exercise for the Army."

Sir Edward Gambier arrived from Penang on Sunday, in the "Eliza Jane," and was sworn in at a special court on Monday as Puisne Judge of the Supreme Court of Judicature at Madras.

The Supreme Court will be removed on the 21th proximo, into the Marine Buildings, which have been fitted up, and considerable improvements and additions made to adapt them for its reception, and to furnish apartments for all the officers attached to the court.—Nov 30.

Chantrey's plan for the pedestal or base of Sir Thomas Munro's Statue, have, we hear, been received by the Committee.



H. M.'s 45th regt., we are informed, marched out of cantonments at Hyderabad, on the 21st instant, to make room for H. M.'s 55th, who were expected to arrive on the 23d.

A private of H. M.'s 59th, at Bangalore, shot himself while on the Fort Guard, on the night of the 19th.

We have not been able to gain authentic particulars of the meditated reform in the Military Board; but the chief duties will henceforward fall upon two stipendiary members. Report names for these, Colonels Cullen and Maclean—Colonel Tulloch to become Commissary-General, Brigadier Steuart as successor to Tanjore Residency—and Colonel Walpole to the command of Vellore.—Another report returns Captain Douglas to his old post at Tanjore.

As the Military Board are, at present, managers in chief of roads, public buildings, &c., whether constructing, repairing, or beautifying, we hope some of the members will, now the Supreme Court is finished, "go afloat" for half an hour, and remark what a perfect eye-sore in the appearance of the Beach is the miserable looking Marine Yard in the midst of the line of handsome buildings from the Custom House to the Petty Court. It quite destroys the effect, viewed from the sea, which otherwise would be produced; and as the adornment might be cheaply purchased, we hope Govt. will, in lieu of the ugly godown, set about the erection of an edifice to correspond in some degree with its neighbours, the building might be adopted in part to fulfil the use of a bonding warehouse.—Spect. Nov. 30.

#### GENERAL ORDERS

23th Nov. 1836—The Commander-in-chief finds it necessary to call the attention of Officers to the orders regarding dress, and particularly to the G. O. by Government of the 16th July 1833, and 2th October last.—Except when taking exercise in the morning before 9 o'clock Officers are prohibited from appearing in public otherwise dressed than in the uniform of their rank—and whether in dress or undress, the costume is required to be complete and unmixed.—The Commander-in-chief trusts that Commanding Officers and Heads of Departments will themselves set the example of obedience in this respect, as well as strictly enforce it on the part of all under their authority.—The above orders are not attended to apply to Officers when engaged in field sports, cricket, or similar amusements.

Fort St George. 29th November 1836  
—No. 247 of 1836—Major General Sir

George Elder, K.C.B. appointed to the Staff of the Army in the East Indies, with a view to his succeeding Major General Hawker, having arrived at Madras on the 27th instant, is admitted on the Staff of this Establishment from that date in succession to Major General Hawker; subject to the confirmation of the Right Honorable the Governor General of India in Council—Major Genl Sir George Elder, K.C.B. is appointed to the command of the Mysore division of the Army—At the recommendation of his Excellency the Commander-in-Chief: Captain William Greenville, of his Majesty's 2d foot, who arrived at Madras on the 27th instant is appointed Aide-de-camp to Major General Sir George Elder, K.C.B. from that date.

Fort St George. 29th November 1836  
—No. 248 of 1836.—The following extract from a letter from the Honorable the Court of Directors in the Military Department, under date the 6th July last, No 41 is published for the information of the Army—Para. II. "We have adverted to the rules established by his Majesty's warrant, dated 7th Feb. 1833, regulating the discharges of soldiers from the service. We have in consequence revised the orders transmitted to our several Governments on this subject in 1827-8, and have resolved that soldiers who may be permitted to purchase their discharge, shall hereafter pay the following sums only:

	£	Stg.	Rs.
Under 7 years service	40	or	400
Above 7 do	36		360
10 do	30		300
12 do	20		200
14 do	10		100
15 to 17 do	6		60
17 do			Free

but all soldiers so permitted to purchase their discharge must, if they return to Europe, provide their own passage.—12.

"We reserve to ourselves the revocation or modification, of this indulgence in time of war, or upon any other contingency which may appear to us to call for an alteration of the present regulation."

MARRIAGES.—Oct. 14, Ensign G. H. S. Yates, 8th N I, to Louisa, 2d daughter of the late G. Baillie, Esq—22, J. Dodd, Esq, Asst Surgeon, to Adelaide, youngest daughter of the late J. Tedd, Esq, M. P. of Sydney House—25, Mr H. Twigg to Miss L. D'Cruz.

BIRTHS.—Sept. 29, The lady of Capt Anderson, 4th L C, of a son—Oct. 8, at Palaveram, the lady of Lieut-col. J. P. James, 45th N I, of a daughter—9, at Bolarum, the lady of Lieut J. R. Wilson



his Highness the Nizam's service, of a son—12, at Chingleput, the lady of J. Horsley, Esq. C.S. of a daughter—14, at Chicacole, the lady of Lieut J. Campbell 21st regt of a son—18, at Bangalore, the lady of Captain C. W. Nepean, Deputy Judge Advocate General, of a daughter—20, Mrs C. Foster of a daughter—21, the lady of R. Cole, Esq. of a son—22, at Vepery, Mrs Lacy of a son—24, the lady of W. E. Underwood, Esq. of a son—the lady of W. R. Wheeler, Esq. of a son—30, the wife of Mr G. Hunter, senr of a daughter—31, the wife of Mr J. Inglis of a son.

**DEATHS.**—Aug. 3, at Covelong, F. Fauquier, Esq.—21, Captain A. S. Young H. M.'s 63d regt—Sep 5, at Bangalore, Lieut H. Hardinge, H. M.'s 39th regt—16, In Camp, Lieut J. C. Salmon, 43d regt N I—at Arcot. Mr T. Moody—23, at Wallajahbad, Conductor W. G. Talbot.

### Bombay.

**Supposed loss of the Tiger.**—The "Boyne" on her way out touched at the Cape; and we regret to say, brings accounts of the probable loss of two officers of this establishment—Captain Stirling of the 17th N. I. and Assistant Surgeon Deacon, both of whom embarked from the Cape on the 12th of July in the "Tiger," which has not since been heard of, though due upwards of two months.

**Crew of the Charles Eaton.**—The H. C. brig "Tigris" on 8th Nov. returned from her cruise to the southward. This vessel, our readers will probably recollect, was despatched last year by Government to look after the crew and passengers of the "Charles Eaton" and recover such of them as might remain alive. During her absence she touched at Van Dieman's Land and New South Wales; and though unsuccessful in rendering the assistance intended (having been anticipated by a vessel despatched by the Australian Government) she has brought the following account of the wreck of the "Charles Eaton" and the fate of the crew.—It is taken from Capt. Iggleston's journal, and is dated July 31st, 1836.—"The following narrative was taken down from the relation of a boy named Ireland, who was on board the "Charles Eaton" when she was lost. At the time he communicated it, was on board the Government schooner "Isabella," Captain Lewis, which had been sent from Sydney a few days before the arrival of the "Tigris" by Sir Richard Bourke, the Governor of New South Wales, to search after the survivors of the "Charles Eaton." The boy had

forgotten duties.—"On making the barrier reef of Torres' straits, the ship ran into what they considered a passage in the reefs, and were too close before they discovered their error, that she took the ground and almost instantly had her bottom soon knocked in. The boats in the attempt to hoist them out were stove in, with the exception of one cutter, which was seized upon by five seamen, the same who afterwards arrived at Batavia. They thought only of themselves and made no attempt to assist those on board, but after getting what they could from the wreck, made off. The ship of course filled immediately. The water came up to the quarter deck, and the sea washed over her. After a day or two, (for the boy's memory failed him as to time) a rude raft was constructed on which the captain and passengers and some of the officers, with as much provisions as could be spared left the ship and having rigged a mast, set the sail. Five or six days after this a second raft was constructed and the ship's company, a mate, two little midshipmen and the narrator left under similar circumstances. He does not mention the time that they were on the raft, but on their reaching an island the natives came off and killed them all with their clubs with the exception of this boy, but why he was saved he cannot tell. On this island he found the two children of Captain and Mrs. D'Oyley, one about seven years of age and the other an infant of about two years of age. The oldest boy told him that the first raft had landed on the very same island about a week before, and that they were immediately attacked by the natives and were all killed except the two children. Mrs. D'Oyley had the infant in her arms when she received a blow on the head from a club which killed her. The child was taken up by some of the women and carried into a hut. The eldest boy lived for about three months. Ireland supposes they were suspicious of him for reason and killed him."—It was some time after this that the people of Murray's Island ransomed the child and Ireland, after which they were treated with great kindness.—Captain Lewis of the "Isabella," gives the following statement.—He says, that he found the inhabitants of Murray's Island very friendly and kind. The little child had become such a favorite with the women, that he had much difficulty in getting them to part with him but after holding a long consultation among themselves, with many tears they gave him up. The little fellow for three days and nights was quite inconsolable at p. 1



ing with his kind nurses. His native name was Uas or Yeuas. He spoke the language fluently with Ireland, but not one word of English. From being perfectly exposed he had become quite brown and hairy all over his body. He is a fine boy with expressive blue eyes. Both he and Ireland went with Captain Lewis to Sydney.—The latter gives a very different account of the Commander of the ship "Angles" to what appeared in the papers. It would appear from him that a canoe went off with the boy to get on board the vessel: but that they all got frightened with the flourishing of some cutlasses in the boat, and made the best of their way on shore. A full account of the whole however will most likely appear in the Sydney Gazette."

*Supposed loss of the Bombay ships*—The accounts by the "Good Success," which arrived yesterday from China the 2nd of September, leave hardly any doubt as to the fate of those unfortunate vessels, the "Hormasjee Bomanjee," and the "Homoody." Up to the date we have mentioned, nothing whatever had been heard of them—a circumstance which could not be accounted for any longer by supposing them to have been dismasted and driven out of their course; as more than sufficient time had elapsed for them to repair and arrive at Canton. In addition to this too, there are the pieces of wreck picked in the China Sea to be accounted for: so that like doubt now seems to be entertained as to the correctness of Captain Tonk's conjecture that the vessels must have run foul of each other in the gale, and have been destroyed by the shock. Both were large and valuable ships, and had still more valuable cargoes on board. The amount of the loss sustained by them is said to be not less than fourteen lakhs of rupees. On the other hand it will be observed by our shipping report that the "Adelaide," which was supposed to have foundered in the same gale, arrived here on Sunday; nor does it appear that she sustained any injury. She has brought no less than thirteen lakhs of rupees in silver; and her safe arrival, therefore, as may be supposed, has removed much anxiety.

*Canarese Schools*.—We are happy to hear that the Government has sanctioned the establishment of thirty two Canarese schools in the Southern Maratha Country. Hitherto there were no Government schools for imparting knowledge in the Canarese language, and the benevolent intentions of Government in founding those now about to be established will, we hope, be fully appreciated by the

people of that part of the country. We have received a letter on the subject, which will be inserted in our next.

*Abolition of Land Tax on Cotton Lands*.—We have observed with much pleasure a notice from the Revenue Commissioner, declaring that all lands in the districts of Poona, Sholapore, and Ahmednugger, whether irrigated or unirrigated, on which cotton is cultivated, shall be entirely free from the land tax for five years, or till April 30th, 1842.

*Reduction in the Allowances of the Civil Service*.—The Bengal Papers which have lately arrived are filled with complaints respecting the reduction which has been ordered from home in the allowance of the civil service of that Presidency. Upon this measure we should have said nothing had not a prodigious outcry been raised in consequence of it by our contemporaries. With their motives in pursuing such a course we have nothing to do. We shall merely observe that it does seem a little inconsistent on the part of such sturdy champions of the rights of India to object as they have uniformly done, to every act which was calculated to lessen the burdens of the people, and relieve their industry from the pressure of the taxation under which it seems but too likely to sink.—With regard to the reductions themselves, however, though the necessity which leads to them is deeply to be regretted, we must say we see nothing in them either unwarrantable or uncalled for. When carried into effect they will leave the Bengal civil service quite equal in most of its appointments to that of this Presidency, and vastly superior to it in many.—To commence with those of the first class, all salaries between 42 and 52 thousand rupees are, it seems, to be reduced to the former sum. May we inquire what there is in this so very ruinous or oppressive? In the whole civil service of Bombay there are not more than two appointments of this amount; and after all is 42,000 rupees a year (a sum equal to the salary of the Premier of England) so very contemptible as to justify a complaint of reduction when the necessities of the public service demand it. At the same time, a certain class of officers—special commissioners for resumption—are to be exempted from the operations of the rule. So that there will still be a number of individuals in the Bengal civil service paid more liberally than a General of Division, the very highest rank to which an individual can arrive in the Indian army, and which he can only expect to



reach after 40 years service. Secondly, commissioners of revenue and circuit, it appears are to be reduced to Rs. 35,000 per annum—a sum just equal to what the Secretaries to the Bombay Government, excepting only the Chief Secretary receive. There is nothing here, therefore, to justify complaint; for whatever comparisons may be made as to the duties and responsibility of the Secretariat of the Supreme and Bombay Governments, we presume no one will contend that a Bengal commissioner of revenue and circuit has more arduous duties to perform, or a more confidential station to fill, than a Bombay Secretary, or should be better paid. In the next place, as regards collectors and magistrates; it is well known that the duties of those officers in Bengal—and especially in those portions of the Presidency into which the perpetual settlement has been introduced—are comparatively trifling; indeed, are not to be mentioned with the duties of collectors who, as in this presidency, have village settlements, and in some instances ryotwarry ones to look after. Why, then, it may be asked, should they be better paid? Surely no one will contend that, because a young man happens to go to Calcutta instead of coming to this side of India, he should, throughout almost every step of his after life, receive nearly twice as much as if he had come to the latter; and yet such has hitherto been the effect of a nomination to the Bengal civil service compared with that of one to this less fortunate Presidency. But to return to the collectors. They are it seems to be reduced to 28,000 rupees per annum. Now there is only one collector in the whole of this presidency that receives more than that sum. Another receives it exactly, while all the rest receive from 21 to 27,000 rupees. Here, then, the officers with the more onerous duties are receiving, notwithstanding the Bengal reductions the smaller salaries. Can any good reason be offered for this? In this instance, too, it may be observed that the Bombay collector in most cases must be content with being a collector to the end of the chapter. "One or two may be advanced in the course of time; but the majority have nothing further to look to, likewise in Bengal there are a large number of revenue commissionerships, of salt and opium agencies, and of *Banda*, to which every collector may and does look for advancement. In this comparison we leave out all those appointments in the political department, including the memberships in council, with the Bengal civil service is so magnificently provided; be-

cause, though they have hitherto been in a great measure confined to it, we believe in future they will be more equally distributed. We only wish to show that even the less fortunate portion of the Bengal civil service has still nothing to complain of; and in this we trust we have succeeded. No body, however, we repeat can regret more than we do the inconvenience—the disappointment—perhaps we may add, the suffering which the present measure will produce. But the question is, for what purpose is India to be governed? Is it to be for the benefit of a small class; and are the wants and rights of the 80 millions under British rule to be totally overlooked? Are taxes to be imposed that the Bengal civil service may continue to be better paid than any other? And yet such must be the case, or what is just as bad—oppressive taxes, which are destroying the wealth and the prosperity of the country—the transit duties for instance,—must be continued. These we are aware are unpalatable truths; but it is useless to conceal them any longer, and above all to console with the sufferers—to call them "the misguided," "ill-used," "kidnapped" individuals they are represented as being in the Bengal papers; for the laudable purpose we presume of securing a few subscriptions; though the editor disclaim any such motive. The fact is the Bengal civil service has had its day, and must descend to something nearer a level with other and perhaps harder-worked public bodies. It may still, however, boast of being the first and best paid service in the world; and with this enviable pre-eminence may surely rest contented.—*Courier*, Nov. 29.

**CIVIL APPOINTMENTS.**—Sept. 21, Mr. J. A. Dunlop to be Collector of Belgaum and Political Agent in South Malabar country.—28, Mr H. J. Blackiston to be Asst to Collector of Ahmednuggar.—30, Mr J. M. Davies Acting 2d Asst to Collector of Tanja, to have permanent charge of Talooks of Panwell in addition to Talooka of Sankar, &c.—Mr A. W. Jones, Asst to Collector of Tanja, placed in permanent charge of Talookas of Sunjan and Kolwan—Mr D. Davidson Asst to Collector of Tanja, placed in permanent charge of Talookas of Basem.—Oct. 27, Mr H. H. Glass, Collector of Rutnagherry, to proceed into districts on deputation from the 18th Nov. 1836—Mr. G. L. Farrant's resumption on 29th Sept. 1836 of his appointment as Acting 2d Asst to the Principal Collector of Dhawar is sanctioned—Nov. 1, Lieut C. Walker, Engineers, to be Asst Magistrate



in Zillah of Ahmednuggur, and to be placed in charge of the Subsidiary Jail at that station in room of Lieut Crawford on sick certificate—Nov. 3, Mr E. H. Briggs (retrospectively) to act as 2d Asst to the Collector of Kaira from 30th April 1835—7. Mr G. Giberne has resumed his appointment as Collector and Magistrate of Tannah—Captain H. Lyons 23d N I, to temporary command at Akulkote during the absence of Captain Johnson—9. The undermentioned to be Assts to Captain A. Burnes proceeding on a special mission—Lieut R. Leech, Engineers—Lieut J. Wood, I. N—5. Mr J. Pyne, C S, to be Acting Judge and Session Judge of the Concan—8. Mr A. Remington Acting Asst Judge of Concan assumed charge of the Adawlut at that station on 31st Oct. 1836.

**MILITARY APPOINTMENTS, PROMOTIONS, CHANGES, &c. from 23d Oct. to Nov. 24th, 1836**—Captain H. Hancock 19th N I, to be Aide-de-camp to Brigadier General Osborne—Cadet of Cavalry C. E. Stewart admitted on the Estab. and promoted to Cornet—Lieut E. A. W. Keane, H. M.'s 2d regt, to be Aide-de-camp on personal staff of the Commander in chief from 11th September 1836—Lieut Walton to act as Adj. of H. M.'s 2d regt during the absence of Lieut and Adj. Simmons (to Poona on duty)—Eur. regt, right wing, Captain J. T. Osborne to be Major, Lieut N. Strong to be Capt., and Ensign R. J. Shaw to be Lieut in succession to Robson invalided, date of rank 10th September 1836—22d N I, Captain W. Lardner to be Major, Lieut R. Long to be Captain, and Ensign J. D. Leckie to be Lieut in succession to Dunbabin, invalided, dated 13th Sept. 1836—Mr S. Sproule, admitted on the Estab. as an Asst Surgeon—Mr E. Battersbee ditto ditto—Captain C. Denton 24th N I, to act as Major of Brigade at Baroda during the absence of Captain Browne (on medical certificate to sea coast)—The services of Lieut Nash, Engineers, being no longer required in Supert. of boring for water in Deccan, that officer to join head quarters of Engineer corps—Capt Bulkeley of Poona division of the Army to perform Captain Cornwell's duties during his absence, and on the former's own responsibility—22d regt N I, Captain H. Cracklow to be Major, Lieut J. Tyndall to be Captain, and Ensign A. G. Shaw to be Lieut in succession to Lardner invalided, date of rank 19th Oct. 1836—Captain T. S. Puwell H. M.'s 40th regt to act as Major of Brigade King's troops, during the absence of Captain Burnes on duty at Belgaum—17th regt N I, Capt W. Stirling to be Major, Lieut J. Pope

to be Captain, Ensign C. Burnes to be Lieut, in succession to Simpson dec., date of rank 21st Oct. 1836—Lieut H. Styles, European Infantry, to be Interp. in Mahratta—Major F. Hiekes, 4th N I, to assume temporary command of the Station Ahmednuggur during the absence of Brigadier Willis from 25th Oct 1836—Asst Surgeon Don, Acting Oculist to perform the duties of Asst Surgeon J. Scott, Secy to Med. Board during the latter's absence on leave—Lieut C. T. Whitehead, 12th regt N I, to act (temp.) as Quarterm. and Paym. during the absence of Lieut Holmes on sick certificate or till further orders—17th N I, Ensign L. Scott to be Quarterm. and Interp. vice Pope promoted—Captain W. Macan 6th N I, to be Commissariat Agent at Surat, vice Captain Hughes (to Europe)—Captain A. M. Elder, European regt, to proceed to Madras prep, to being appointed to the personal staff of Major Genl Sir G. Elder.

**REMOVALS AND POSTINGS.**—Ens. E. Bowen 3d to 26th N I, as 4th Ensign, ranking next below Ens. W. C. Bowen.

**RETURNED TO DUTY.**—Captain C. Newport—Captain H. Hancock—Asst Surgeon T. S. Cahill—Lieut G. Wilson—Lieut J. Broadhurst—Major C. Davis.

**FURLONGHS.**—Mr E. G. Fawcett, C S. (prep)—Mr W. H. Reeves, C S. (prep)—Captain V. F. Kennett—Colonel W. Gilbert—Lieut R. N. Meade—Captain G. Yeadell—Asst Surgeon D. Buddoo—Lieut A. J. Jukes—Ensign R. F. Gordon—Ensign C. D. Myne (to the Cape)

**FURLONGHS CANCELLED.**—Cornet W. Loch, 2d L. C.

**RETIRED FROM THE SERVICE.**—Dr J. McNeill from 4th June, 1836—Cadet H. W. Allardys, Engineers.

**NAVINE APPOINTMENTS.**—Nov. 7, Mr Midshipman Scott to the charge of the hired Pattamer Narsin Pursad to Gogo with Government Opium—Acting Lieut Buckler attached to the Survey of the Gulf of Cambay from 1st Jan. to 31st March 1836—Mr Midshipman Fell to the charge of the hired Batella Parwatty Pursad, laden with Govt Opium, &c.—Nov. 17, Captain Jameson to perform duties of Asst to Auditor Genl Marine Department till further orders—The following temporary appointments are confirmed—Lieut Daniell to the charge of the schooner Shannon, in the Persian Gulf in Oct. to be continued until further orders—Midshipman Delhi, one Quarter, &c. attached to Shannon till further orders—Midshipman Campbell attached to Nerbudda under Lieut Ethersey; from 24th Sept. till further orders—Lieut



*Bithersy* to command of *Nerbudda*, attached to the Survey of the Gulf of *Cambray*, from 24th Sept. till further orders—*Lieut A. S. Williams*, Asst Supert. to conduct the duties of the Draughtman's Office, *Lieut Carless*, Acting Draughtsman, being ordered on the Survey of the *Indus* from 24th October.

GENERAL ORDERS.

Head Quarters, Poona, 4th November, 1836—Under instructions from the Commander-in-chief in India, the following General Order by his Excellency, bearing date Head Quarters, on the river, off Benares, 13th October, 1836, is published for the information of the Army of this Presidency:—"Head Quarters, on the river, off Benares, 13th October, 1836.—The attention of Commander-in-chief in India was attracted some weeks since by a letter in a public journal, bearing the signature of "*Vans Kennedy*," and appearing to be from Colonel *Vans Kennedy*, of the Bombay Army, addressed to the editor of the *Englishman Newspaper*, which is published in *Calcutta*. As a letter so signed, and so addressed and published, could only be looked upon as specially intended for the consideration of the Officers of the Bengal army, and as it contained matter (as the Commander-in-chief thinks) much more calculated to produce evil than good, he was inclined to notice it immediately he had perused it. As, however, he had too high an opinion of the good sense of the Officers of the Bengal army to think, that any harm could arise from delay, he determined, in the first place, to ascertain from Colonel *Vans Kennedy* himself, whether he acknowledged the letter to be his. He has this day received the Colonel's acknowledgment, that he is the author of the same; and, therefore, he proceeds to comment upon it. The grievances of the Colonel, on which, from his publication, it must be inferred, that he seeks the sympathy of the Bengal army, are threefold. The first, his having been removed from his situation, as Judge Advocate General of the Bombay army. The second, his not having been subsequently nominated to the command of a brigade. The third, that he has been tried by a court martial, for disobedience of orders. Every officer must know from the general practice of the military service, that if a subordinate does not discharge the duties of the staff situation which he fills, to the satisfaction of his superior, he must be liable to be removed. This was the point of failure of Colonel *Vans Kennedy*; and the civil Government of the Bombay Presidency, concurring in the

views of the Commander-in-chief of the Bombay army relative to the Colonel's conduct, (who ever it may have been) he was displaced from his office. It rarely happens, that any man is displaced without deeming himself wronged; but to help our judgment in this case, we have the opinion of the Commander-in-chief of the Bombay army, and of the civil Government, to set against that of the individual interested. When displaced from his situation, he was ordered to join his regiment; which he did; but on a brigade command subsequently falling vacant, he was passed over, and a junior officer was appointed to the command. Colonel *Vans Kennedy* thinks proper to assert, that his seniority gave him a title to such command. The Commander-in-chief of the Army in India denies the correctness of this doctrine. He asserts that seniority, fitness being absent, gives no title whatever. He cannot conceive words to be put together, which could leave less doubt on the subject than the letter of the Honorable the Court of Directors, No. 63, of the 17th, December, 1834, published in General Orders of the army, of the 1st June, 1835. The court says, "We have no hesitation in expressing our opinion, that officers have no strict right to succeed to the appointments of Brigadier or Brigadier-general, on the ground of mere seniority; and this opinion is only qualified, by an expression of their firm reliance, that the claims of officers 'arising out of length of service will never be set aside, except on public grounds.'" The question then is, had the Commander-in-chief of the Bombay army, in this case legitimate "public grounds?" It appears from Colonel *Vans Kennedy's* own statement, that he had been filling a civil office on the staff for eighteen years, and had been absent from all regimental duty twenty nine years, his whole period of service having been thirty-six years. He had, therefore, never commanded a battalion, either in quarters or the field, and probably was (as a practical officer) utterly ignorant of all the alterations, which have taken place in the tactics of the army, since the time of his early service as a subaltern. Is this a legitimate "public ground" for the officer at the head of an army, whose duty it is to watch over its discipline, and who is responsible to the Government, that (as far as he has authority) the troops are in proper hands, to act upon? The Commander-in-chief of the army in India deems, that it is quite a legitimate "public ground;" and he does not doubt, that it was one of those grounds alluded to in



the order to be quitted. It has been asserted, that ignorance on such subjects is no bar to command in the Indian army; but the Commander-in-chief is willing to believe this to be an aspersion. At all events, he does not admit such a doctrine, nor will he believe, that such will be advocated by the Honourable the Court of Directors, or the army. The third grievance remains to be considered: and what is advanced in the course of its discussion by the colonel, forms a principal reason for His Excellency the Commander-in-chief thus addressing the army. It appears, that, in obedience to orders, Colonel Vans Kennedy, after his removal from the staff, joined his regiment: but, owing to contumacy, or some other case, (the former would necessarily be inferred by those officers and soldiers, who were aware of the circumstances of his case) he never appeared on the parade of his regiment for a period of six months. A rumour of this neglect (as circumstances seem to indicate) having transpired, a return was called for by His Excellency the Commander-in-chief of the Bombay army, through the general officer commanding the division of the army to which Colonel Vans Kennedy's regiment belonged, calculated to show the fact. A return was accordingly made, through the officer commanding the brigade, which return proved, that the truth really was, as had been supposed. The officer commanding the brigade therefore issued an order, intimation of which evidently was to direct that Colonel Kennedy should attend the parades of his regiment. This order, from his superior officer, the Colonel, comurred about obeying; and he was in consequence placed in arrest, and subsequently tried by a court-martial. The example thus placed before the Bengal army, of an officer commanding a regiment taking leave to abstain from all out-door duty, and to absent himself from all parades, for six months in succession, although upwards of 8000 men were present in quarters, deserves marked condemnation: and the Commander-in-chief in India condemns it accordingly. If the Colonel's absence was either necessary or warrantable, it should have received the previous sanction of his superior officer. There is a doctrine, which the Colonel has advanced, respecting obedience to superiors, or rather what constituted disobedience, which may be law; but, if it is, it is so adverse to discipline in an army, and, so contrary to former practice, that the Commander-in-chief is surprised at its advocacy by any soldier of rank. The Colonel says to the effect following: I

had only given an intimation "of an intention to disobey," but had not actually disobeyed. You did not afford me time to disobey, but you placed me in arrest, and thus I am unjustly dealt by, because I had not committed the disobedience. Let us see how this doctrine would operate carried a little farther. The European officer orders his Subadar or other subordinate officer, to parade his company six hours subsequently. The Subadar replies, I shall not do so. According to the law now laid down, the European officer is not to place the Subadar in arrest, because he has not had time to complete his disobedience. This seems to be the law advanced by Colonel Vans Kennedy! The Commander-in-chief is quite sure that discipline cannot be maintained, if such law is to be acted upon. On a consideration of the whole published letter, he offers his advice to the army not to follow the examples which Colonel Vans Kennedy has thought proper thus to lay before them; but rather to profit by them, as affording instances of conduct which should be carefully shunned by all those who desire to prosper in their profession. The Commander-in-chief cannot conclude, without expressing his decided opinion, that this sort of exparte publication, which is calculated (and probably intended) to derogate from the character of a superior officer of the army and in which the Colonel directly imputes of "extreme injustice" to some person or persons, is not calculated to do good, or to lead to just conclusions; and, therefore is little becoming any officer, but more especially one of high rank in the army, whose experience should have taught him better. His Excellency will not fail to make known to the Honourable Court of Directors, through the supreme Government, his view of such proceedings: and how much he deprecates publications which are calculated more to excite dissatisfaction in the army, than to do any public service.—By order of His Excellency the Commander-in-chief in India, (Signed) J. R. LUMLEY, Colonel, Adjutant-general of the Army. By order of His Excellency the Commander-in-chief, STRATFORD POWELL, Lieut.-col. Adjt.-genl of the Army.

*MARRIAGES.*—Oct. 21, at Ahmednagar, Mr P. J. De Souza, 1st Hospital Am. 4th regt N I, to Miss A. M. De Souza—23, Mr. J. Anderson, Medical Estab. to Sibella, only daughter of Mr. J. Leonard—Nov 15, Lieut. E. V. P. Holloway, 42d regt, Madras N I, to Elizabeth Ann, eldest daughter of the late W. George, Esq.



**MARRIAGES.**—Aug. 14, at Rajcote, the lady of Captain A. T. Reid, 19th N 1, of a daughter—Sept 11, at Colabah, the lady of Captain Sawyer, 1 N, of a son—19, at Byculla, Mrs T. Cooke of a son—24, at Dapoolie, the lady of Major T. Marshall, 25th regt of a son—29, at Bombay the lady of Major Moore, dep. Milly Aud. Genl of a son at Colabah, the lady of H. Collins Esq. Solicitor, Supreme Court, of a daughter—Mrs Blackwell of a son—Oct. 2, at Sattarah, the lady of Dr A. Young of a son—5, at Poona, the wife of Mr J. Randall. Horse Art. of a daughter—8, at Belgaum, the lady of J. Doig, Esq. Bombay Med. Service, of a daughter—at Rajcote, the lady of J. Erskine, Esq. of a son who died—11, at Poona, the lady of G. Waddell, Esq. of a daughter—19, Mrs R. Bennett of a daughter—24, at Surat, the lady of Captain Melville of a daughter—27, at Mazagon, the lady of Asst Surgeon R. A. J. Hughes of a son—Nov. 13, at Ahmednuggur, the lady of W. J. Muspratt, Esq. C S, of a daughter still-born—17, at Ahmednuggur, the lady of H. W. Brett, Esq. H. Art. of a son—22, the lady of G. Coles, Esq. of a son.

**DEATHS.**—Oct. 7, at Bombay, A. M. Lyon, Esq. Asst Surgeon—10, Mrs Marriott wife of S. Marriott, Esq—17, at Bombay, the Rev. D. Young, Chaplain, H. C.'s Service—22, at Colaba, Mrs Ann Root—23, at Dadoolie, the infant son of Major T. Marshall 25th regt N 1—24, Dadly, eldest son of C. Ardaseer, Esq—27, at Colaba, Francis youngest son of Mr N. Spencer—Nov. 9, at Rajcote, Mrs Jane Gillies—24, Pestonjee Ruttonjee Patell.

(Supplement to Calcutta News.)

**Agra.**—On Monday evening the Bachelors of the station gave a ball to Colonel and Mrs. Piddes on their departure from Agra, where for two years, their popular manners, hospitality and general kindness, constituted the principal attraction of society. The attendance was flattering, comprising Sir C. Metcalfe and Suite, and indeed, with the exception of those who were necessarily absent, all the beauty and fashion of the Station.

We hear that Mr. Milford, late of the Bengal Civil Service, has left the bulk of his fortune to the Governor General of India in Council, for the improvement of the City of Dacca. The legacy will amount to many lakhs of rupees—but the will is likely to be disputed.

**The Alif Leila.**—It is we have been informed, the intention of Government to subscribe for no less than fifty printed

copies of the "Alif Leila," the property of Mr. Brownlow. This valuable MS. contains the whole of the famous thousand and one tales, known partially in Europe as the Arabian Nights' Entertainments. The printing of the work is perhaps the most interesting literary event that has occurred for many years in Calcutta. Types are in progress of preparation expressly for the work, which will be undertaken by the proprietor of the Serampore Press. We have heard that Government intend to bestow copies of it as prizes in the Calcutta, and other Madrasahs, and to direct the preparation of a highly ornamented edition for presentation to the Mahommedan Princes of India and other natives of rank.

We observe that Mr. Shepherd fixes the Stigma of the Civil Service clipping order upon the Board of Control. It is the alterations made by the Board in a Bengal financial despatch prepared at the India House, that Mr. Shepherd protests against. Is this a specimen of the *Reluctance* of Sir John Capi Hobhouse "to accede to any proposition coming from the Court of Directors for the reduction of official emoluments?" The wooden horse of Troy did not shew a greater contrast between its peaceful jubilee attire without and its freight of dire hostility within, than the words of the President of the Board of Control in the House compared with this act of his in the Board; for it is quite clear now that he has not only given his assent to reductions proposed, but altered them to make them more severe.—"We believe that the scale of reduction is directed to be nearly as follows: Commissioners of Revenue and Circuit, of whom there are now two grades at Rs. 39,000 and 36,000 per annum respectively, are to be cut down on vacancies occurring to one level of Rs. 35,000. All salaries between Rs. 42,000 and Rs. 52,000 saving those of the special commissioners for resumptions to be reduced on vacancies to Rs. 42,000. The salaries of all Magistrates and Collectors who receive at present Rs. 30,000 to be reduced *immediately* to Rs. 28,000, and of those who receive Rs. 28,000 to Rs. 26,000. The salaries of all Collectors who are charged with only Revenue duties to be cut *immediately* to Rs. 23,000. The salaries of all Civil and Session Judges to stand at not more than Rs. 30,000, and those of Civil Judges only to be reduced *immediately* to Rs. 26,000. The salaries of the Secretaries to the Sudder Board of Revenue, and Board of Customs, Salt and Opium, to be reduced *immediately* from Rs. 30,000 to Rs.



25,000. Amid this mass of reduction there is one solitary instance in which it is said increase of salary is especially directed; this is with regard to the office of Register of the Sudder Dewannee who is to have Rs. 34,000 instead of Rs. 30,000 his present salary. Another case has been mentioned to us in which literal compliance with the orders of the home authorities would ensure to the happy incumbent a considerable accession of income; the Tumlook Salt Agency salary was reduced by Sir C. Metcalfe from Rs. 50,000 to Rs. 30,000; the excellent discretion of the Board of Control rates this office at Rs. 42,000, while it reduces the Hidgellæe agency from 50,000 immediately to the same sum. Hidgellæe being a more important situation than Tumlook, and the present incumbent having, as we are informed, added very considerably to the revenue derived from it. Against a measure so redolent of impolicy and injustice, certain of the Directors have not failed to protest—Mr. Shepherd's dissent has been published in the *Hurkaru*; we understand that Mr. Butterworth Bayley and Mr. St. George Tucker have also recorded minutes in deprecation of the Board's orders."

We find, from *Alexander's Magazine* for August, that Mr. Ricketts, late of the Bengal Civil Service has made another, and, we suppose, final appeal to the Court of Directors, regarding his exclusion from the benefits of the Annuity Fund. It will be recollected, that this gentleman had been struck off the fund on the ground of some alleged misconduct while he had been Resident at Lucknow; that misconduct would appear to have been established, at least to the satisfaction of the Court, for they adopted the apparently unusual and unwarrantable step of dismissing Mr. Ricketts from their service sometime after he had retired, and had been placed on the Annuity Fund, and making that dismissal a ground for striking him off the Fund!—There seems to have been in this case a great deal of the old heaven of misrule; of Mr. Ricketts's guilt or innocence of the crimes imputed to him,—those crimes being no more nor less, we believe, than having realized more money in this country than, by any description of calculation usually resorted to, he could have done by his legitimate receipts, his remittances to England and assets in this country, as said to have been proved, being out of all keeping with what he could possibly have saved in a fair way; but the usual and proper means to ascertain his guilt, or afford him an opportu-

nity of vindicating himself from the charges brought against him, were not adopted. The Bengal Govt. enter into an enquiry and come to certain conclusions, and on those conclusions have the Court of Directors acted, without even intimating to the supposed criminal the charges or the conclusions come to! This of itself would convey a sufficiently distinct view of the arbitrary character of that Court—or of its totally passive character in the affairs of the country which it rules over, which, so far as the injured are concerned, amounts to the same thing, and by consequence it proves their total unfitness for so great and important a trust; not satisfied, however, with this reckless disregard to the common principles of justice, but they must fly in the face of law and reason in order to perfect the piece,—not only do they not acquaint the man with the nature of the offences imputed to him, but they actually dismiss him their service some considerable time after he had retired from it, and of course had nothing more to do with it! But this was done to suit a purpose, be it observed; this was done to give a color of consistency to that other act which they intended perpetrating: and as they could not do the latter towards a man over whom they had no control, as was the case with Mr. Ricketts after his retirement, they must needs violate all rule, law, and precedent, by going through the farce of a dismissal! from their service,—that is, dragging Mr. Ricketts back from his retirement that they might have the opportunity of kicking him out, as a justification for striking him off the Annuity Fund!—This is altogether monstrous, and can only hurry on a dissolution which would soon take place in the usual course of things; who could feel disposed to place power in the hands of a body of men who could so deliberately trifle with the common right of man, merely because they have the power?—Let Mr. Ricketts's own language, in his last appeal, speak as to the extent to which the Court has carried its will.—"I now entreat the Court," says he, "to inquire which of their regulations, which regard the conduct of an investigation of charges brought against their civil servants, has been observed in my case, or, rather, which of them has not been violated. No solemn commission was issued by the Governor General for the purposes of inquiry,—no two commissioners were appointed to conduct it,—no call was made on me, through my agents or friends, to answer the complaint, after



the evidence had been produced,—no report declaratory of my guilt was made by the party who conducted the investigation,—no further report expressive of an approval of such investigation was appended to it by the Governor General—and yet, according to Regulations 8 and 10 of 1806, 17 of 1813, 11 of 1814, 8 of 1817—all these are preliminaries indispensable to the pronouncement of any sentence by the Court, excepting that of acquittal. I am not now arguing the question of my guilt or innocence, but I humbly submit to the Court, that, as a governing body, sitting judicially, they are bound to consider such an investigation, as my case has alone undergone, as an informal, incomplete, extra-judicial, and *ex parte* proceeding, which cannot be acted on by them, but in defiance of their own laws." But, grave and important to the cause of truth and justice as these several charges are, the Court, while they do not attempt to deny any single one of them, decline, in the language of their Secretary "to depart from the decisions which they have passed!"—It is to the arbitrary course the Court has taken that we would look, not to the guilt or innocence of Mr. Ricketts; but that gentleman ought as a person accused to be placed in the same position that every criminal by our own laws and by the laws of every other civilized state is placed,—that is, on his defence, and the means afforded him to defend himself: and perhaps the charge brought against him, or something carrying its import might not be considered an immaterial portion of such means. This case, as it appears, is a disgrace to the Court, and we trust Mr. Ricketts will feel it his duty to carry it to the highest quarter he can, that the world may become more intimately acquainted with this new leaf in the history of the Company's misgovernment.—*Hombay Gaz.*

We observe that a practical instance of the disputed question about Artillery officers being employed on the Staff has occurred in the Madras presidency.

The following is an extract of a letter from an Officer of the Commander-in-chief, Head Quarter's Camp, dated Cawnpore, 7th Dec. 1836:—Yesterday we were at a review of the Artillery in the camp, and breakfasted with Dr. Mackinnon. The Commander-in-chief breakfasted, not with Colonel Pollock, but with Colonel Whish.—One of the exhibitions was to set fire to a quantity of powder and straw or boom, by means of red-hot shot. After the review, a large quantity of this powder, in a hole, that was supposed to

have gone off with the rest exploded near Colonel Beresford, so that he had a narrow escape.

It is said that Brigadier Churchill will march with the Lancers, a month hence, and join Head Quarters as Acting Quarterm. Genl. King's troops, at Meerut. It is also said that Captain Robinson will then be appointed Aide-de-Camp to Genl. Stevenson, in the room of Captain Lucius Smith, who will retire to make room for Captain Robinson.

There was a pleasant, lively, and amusing paragraph in the *11<sup>th</sup> kara* of the 29th ultimo, describing our mode of marching; but it is full of nonsense, I know not of whose invention. "The first drum never beat before 4 o'clock; 'the Camp dines at 2 o'clock;' we dine at 6. 'The staff never attend the Commander-in-Chief but on entering a cantonment; (except Colonel Dunlop, the Quarter-Master General, who at first did so daily, but not so much latterly.) and then we are not clad in red coats, but blue; Sir Henry Fane and family *do* dine, on marching days at the early hour of ½ past 2 o'clock."

Lieut. Colonel Burton of the Madras Artillery, has been appointed a Brigadier of the 2d class, and to command at Bangalore, by an order of the Government of Fort St. George, dated the 22d ultimo.

**CIVIL APPOINTMENTS BY THE GOVT. OF AGRA.**—June 30, Cornet E. Robinson, Asst to the General Super. of the Operations for the Suppression of Thuggee, is invested with the powers of Joint Magistrate in the several districts comprised in the 1st or Meerut Division, and in the Delhi Territory, as well as in those under the Political Agent at Umballah—Sept. 19, Mr E. P. Smith to officiate as Civil and Session Judge of Ghazepore—Mr F. Stainforth to act as Magistrate and Collector of ditto.

**MILITARY APPOINTMENTS, PROMOTIONS, CHANGES, &c., from 2d Oct., to 17th Nov. 1836.**—Asst Surgeon J. M. Brander, M D, to perform medical duties of civil station of Bhaugulpore: *vice* Asst Surgeon J. Innes, M D, placed at disposal of Comm.-in-chief—Asst Surgeon Lt. B. Cumberland to perform medical duties of the civil station of South Div. of Cuttack, *vice* Dr. Brander—Lieutenant F. Moore 52d N. I., to have rank of Brev. Captain from 20th Sept 1836—Captain J. Graham 50th N. I.; placed at disposal of the Agra Government, with a view to his being appointed to act as Asst to the Agent at Delhi, during Lieut. Phillips's absence on leave—Regt. of Artillery:—Brevet Captain C. Dallas to be Captain,



and 2d Lieut J. Innes to be 1st Lieut from 7th Oct. 1836, in succession to Capt T. A. Vanrensen *dec*—2d Lieut H. E. L. Thullier brought on effective strength of the regt—Cadets of Inf. A. Cameron and R. A. Smith admitted on Estab., and promoted to Ensigns—Asst Surgeon J. F. Bacon transferred to civil station at Shahjehanpore, in succession to Asst. Surgeon F. Fleming, placed at disposal of the Comm.-in-chief—Asst Surgeon J. O. Dwyer to perform medical duties of the civil station of Midnapore, vice Asst. Surgeon R. B. Cumberland—Ensign A. A. Sturt 6th N I, to do duty with Assam Sebundy Corps, vice Lieut R. M. Hunter—Asst Surg H. Sill to take med. charge of civil station of Banda—Surgeon H. Guthrie to officiate as civil Surgeon of Bareilly—Mr T. Leckie, M. D., to perform medical duties of civil station of Bhaugulpore, vice Asst Surgeon J. M. Brander—Cavalry:—Major R. E. Chambers to be Lieut.-colonel, from 10th Oct. 1836, vice Lieut.-colonel and Brevet Col. T. D. Stuart *dec*.—9th L. C., Captain R. Hawkes to be Major, Lieut W. B. Wemyss to be Captain of a Troop, and Cornet W. Cookson to be Lieut, from 10th Oct. 1836, in succession to Major R. E. Chambers promoted—Super Cornet W. F. Tytler brought on the effective strength of Cavalry—Lieut F. Trimmer 50th N I, to be Brevet Captain from 24th Oct, 1836—Asst Surgeon S. H. Batson to perform medical duties of civil station of Shahabad, vice Asst Surgeon W. Bogie placed at disposal of Comm.-in-chief—Cadet of Cavalry, Mr J. Turnbull promoted to Cornet—Cadets of Infantry, E. Forbes and S. H. J. Davies promoted to Ensigns—Brevet Captain R. Horsford to be Captain, and 2d Lieut R. C. Shakespear to be 1st Lieut, in room of Captain H. O. Baker retired—Super 2d Lieut G. Penrice is brought on the effective strength of the regt—19th N I, Ensign J. Thompson to be Lieut—65th N I, Ensign C. J. Harrison to be Lieut—74th N I, Captain A. Farquharson to be Major, Lieut H. N. Worsley to be Captain of a comp., and Ensign H. E. S. Abbott to be Lieut—24th N I, Ensign A. J. W. Haig to be Adj. vice Lieut Mackintosh resigned—Capt E. W. Anson 18th N I, to command his Excellency the Comm.-in-chief's Escort—Asst Surgeon R. W. Wrightson to remain at Akyab, and afford medical aid to Arracan local batty—Captain C. MacMorris, Art. to be Aide-de-Camp to Brig. General C. Brown, C. B., from 22d Nov.—Brig. General C. Brown, C. B., to command Benares Div., and Sir T. Aubury, Knt., C. B., to command Sangor

ditto—Surgeon W. E. Carte to afford medical aid to Hurrianah L. I. B., as a temporary arrangement—Surgeon R. Brown 37th N I, to act as Super. Surg. at Agra, on departure on leave of Surg. Venour—Major T. Chadwick 2d batt, to proceed to Neemuch and assume command of Art. at that station—Asst. Surg. W. Sherriff to proceed to Loodiana, and afford medical aid to 4th troop of that brigade during its march to Meerut—Lieut. C. C. Pigott 18th regt N I, to act as Adj. to left wing of that corps.

*Removals and Postings.*—Lieutenant Colonels P. Brewer 61th to 59th regt N I, and D. Crichton from latter to former corps—Asst Surgeon D. Russell 10th L. C., to 4th troop 1st brigade II A, at Agra—Surgeons D. Harding 27th to 39th N I, C. Mottley posted to 27th ditto, and J. Clarke posted to 54th ditto—Asst. Surgeons W. B. Davies posted to Assam L I, and T. Sibbald to do duty with H. M's 26th regt—Captain E. R. Watts, from 4th comp 4th batt to 4th troop 1st brig H A.—Major J. Pereira from 6th to 3d batt Art., and to join H. Q. at Mhow—Major T. Chadwick 2d batt to Neemuch and assume command of Artillery in that division—Ens. S. Richards from 60th to 55th regt N I.

*Enlistments.*—Colonel F. V. Rapet—Lieut A. Macdougall—Lieut R. Gervan—Lieut J. Bell—Ensign H. C. Airey—Captain R. S. Phillipps—Ensign C. R. Woodhouse—Lieut F. Samler—Asst Surgeon H. R. Bond—Captain J. Stevens—Lieut colonel B. Sissinore—Lieut A. R. J. Swinton (prep)—Major J. L. Day (prep)—Brevet Colonel E. Wyatt (prep)—Lieut H. Halhed (prep)—Lieut T. W. Hill (prep)—Major W. C. Oriel (prep)—Lieut B. C. Hordillon—Asst Surgeon W. Spencer—Lieut.-colonel J. Colvin—Lieut H. Cheere—Ensign H. Weaver—Captain T. DesVoeux (prep to retiring)—Capt. W. P. Welland (ditto)—Captain J. Brandon (ditto)—Captain B. Marshall (ditto)—Rev. R. B. Boyes (to the Cape)—Surgeon J. M. Todd (to the Cape)—Lieut.-colonel J. Rodber (to the Cape)—Cornet W. H. Tweedale—Lieut.-colonel W. Pattle.

*Returned to Duty.*—Colonel J. H. Little—Capt.-in J. T. Somerville—Cornet W. H. Hepburne—Asst Surgeon J. Colvin—Major T. Wardlaw.

*Retired from the Service.*—Ensign W. O. Forrest 7th N I—Asst Surgeon A. B. Webster, M. D.—Lieut G. Urquhart—Lieut J. N. O'Halloran—Major J. Johnston from 23d May 1835—Captain H. O. Baker from 9th July 1835—Lieut C. Cook.



## HOME INTELLIGENCE.

COURT OF EXCHEQUER, Westminster, Feb. 13.  
(Before Lord Abinger and a Special Jury.)

HART v. HENRY ALEXANDER.

The Defendant was the principal partner in the firm of Alexander and Co., at Calcutta. The Plaintiff had an account at his bank. The action was to recover from him, as a partner, a large sum in Rs., amounting, we believe, to £18,000 sterling, the concern having in the year 1832 proved insolvent.

Sir W. Follett and Mr. Evans appeared for the Plaintiff. The Attorney-General and Sir F. Pollock for the Defendant.

The Court was occupied all day with this trial, important not only as to the amount claimed, and the liabilities of the Defendant, consequent upon an adverse verdict, but because of the litigation with respect to similar claims upon other parties, which must necessarily have followed a verdict for the Plaintiff. The facts, however, lie in a small compass, and the law as declared by the Court, may be briefly stated. It appeared that the Plaintiff had kept an account with the house of Alexander and Co., previous to 1816, for in that year there was a balance to his credit; the accounts went on at a varying rate of interest on the money lodged through 1817, 1818, and 1819.—During these years, the Defendant was in India, and signed the accounts. They continued through 1820-21, but then the Defendant returned to England. He was in England in 1822; and in 1822 he executed a deed by which he ceased to be a partner in the house of Alexander and Co., of Calcutta. In 1823, he was a candidate for a Directorship of the East India Company, and was subsequently elected to that office. The account still went on, the interest varying until 1825, when not one of the original partners of the house remained in India. Mr. Alexander and Mr. Fullarton were in England; Mr. Macan was dead. After 1825 the account still went on; and, in 1826, after the original partners as aforesaid had left India, the interest on the account sunk to 5 per cent., after having been at one time so high as 17 per cent. The account after this was still continued; the interest varied. It rose to 8 per cent., and so it went on until 1831, when the Plaintiff executed a power of attorney in common with another executor, they being the executors of the Plaintiff's brother who died in Persia, and in this power of attorney, sent to the house in

London of Fletcher, Alexander, and Co., agents to Alexander and Co. in Calcutta, to be transmitted to India, were recited the names of five new partners, as forming the firm of Alexander and Co., of Calcutta; and in this list neither the name of the Defendant, Alexander, or of Mr. Fullarton, the other original partner, appeared, nor of Mr. Macan, who was dead. In 1832, the house failed. In 1833, the Plaintiff authorized and empowered with others Mr. Fullarton, who had been one of the original partners, to receive his dividend for him from the proceeds of the house after its insolvency. In 1835, the action against Alexander was brought. Lord Abinger declared the law to be this—*if*, without any formal notice, a plaintiff in any case of this nature, had a knowledge of a partner's retiring from a firm, and afterwards continued his transactions by trading on his money lodged either in respect to a higher or lower rate of interest, or by increasing or diminishing his balance, he entered into a new contract, and hereby the partner going out was relieved of responsibility. The man trading on a different interest, or a different capital, with new parties, was not to have at once the responsibility of the new partners and the liability of the old. Such being the law the case, of course, turned upon the fact as to whether the plaintiff had, or had not, knowledge, a formal notice not being necessary, but knowledge of the circumstance of the Defendant's having retired from the firm. If he had the knowledge, the verdict should be for the Defendant; if he continued under the impression, up to the failure, that the Defendant was a partner, and had no notice or no knowledge to the contrary, the verdict should be for the Plaintiff.—This was a question for the Jury. It was contended on the one side that at the time Plaintiff executed the warrant of attorney he must have known the Defendant was not one of the firm, for his name did not appear, the names of the several partners of the firm being therein recited; it was argued on the other side this was not a necessary result from the circumstance of his signing the power; but his Lordship, touching this point, observed—the conclusion was in all probability good, the Plaintiff not having been shown to be of weak mind, or incapable of managing his own affairs; on the contrary, from his letters, he appeared to be a man of business, and of sufficient aptitude to attend well to his business. For the Defendant it was proved that the dissolution



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of partnership, so far as the Defendant was connected with the firm of Alexander and Co., had been published at Calcutta, in the *Gazette*; so that if the Plaintiff were in India, in 1822, he must have had legal notice of it. It was proved, too, that on each occasion of change of partnership, circulars were written to the parties doing business with the firm.—This, however, was contended on the other side not to amount in the particular case to a notice, and not to approach the point of establishing knowledge. The learned Judge said, that, if a copy of the circular letter addressed to the defendant were proved to have been forwarded to him by the ordinary conveyance, say put aboard a ship for England, it would raise a presumption of notice; but this had not and could not be done, and, therefore, there was nothing but a conjecture in the particular instance to be founded upon the general practice. For the Defendant it was moreover proved that, in the *Courier*, and other London newspapers, the fact of the Defendant's retirement from the firm had been published in 1822, as also afterwards that he was a candidate for the Directorship, from which in itself it was argued any man like the Plaintiff, conversant with Indian affairs, having lived, and earned, and invested his money in India, must have been aware the Defendant had, before 1833, ceased to be a private trader. For the Plaintiff it was contended that there was no proof he knew these circumstances or made these deductions. There was nothing even to prove that he had seen any paper with such announcement, or knew of the election of defendant as a director. For the defendant it was shown that he was a subscriber to a newspaper in Hythe, in 1822, at which the newspapers often were taken, and it was argued that the departure from a firm of the principal partner, and his election as an East India Director, were neither of them facts which could well escape the notice or inquiry of a person deeply interested in the house of Alexander and Co., and the commercial Government of India.

*Summing up of Lord Abinger.*—Gentlemen of the Jury.—This is an action brought by Mr. Hart against Mr. Alexander, to recover a very large sum of money that has been accumulating at interest, varying from the rate of 10 to 8 per cent. from the year 1818 down to the year 1832. The Defendant has pleaded that he ceased to be a partner in the Firm from whom that interest was due, and that other persons succeeded him; and

he alleges that Mr. Hart was aware that he had ceased, and that he agreed with the other partners to discharge him.—Now, I must first tell you, that, to ask of you to find there was a specific agreement to discharge him is to put the case upon a false issue. The agreement to discharge is an agreement resulting in law from the facts that have taken place. It is not pretended that there was any agreement by an actual communication, either verbal or in writing, that he should discharge him. The agreement alleged is this:—that, Mr. Alexander having quitted the firm, that he, with the knowledge that he had quitted it, went on dealing with the other partners, and from year to year receiving accounts current; making new contracts with them on terms upon which the balance should run in their hands; and that, in point of law, is an agreement to discharge. That is the question, I think, you have to try.—Now, with respect to the facts of the case, they appear to be exceedingly few, although they have occupied a very long time in the proof and the discussion; and I will endeavour to put together the few facts before you that appear to me to be important. It seems, Mr. Hart was originally in the military service of the India Company; at what time he returned to England, he has not shewn: no witness is called to prove that. But, that he deposited a sum of money in the hands of Alexander and Co., in India, is clear,—because that appears by the accounts, the first of which bears date in 1818.—That he deposited money earlier than that, is apparent on the face of that account,—because that account gives him credit for 51,180 rupees. Therefore, that shews he had an account with them in 1817.—How long before 1817, if before, he had any account with them, there is no proof; but, at all events, from the facts in the cause, it appears that he had money in their hands in 1817. In 1818, an account was rendered, by which it appears that various transactions—

Sir W. Follett.—Your Lordship, I think, is mistaken as to the dates: the first account is in 1815. The accounts in 1816, 1817, and 1818, were signed by the Defendant himself; and he was a partner in the house at the time the account was opened.

Lord Abinger.—The first account I have here was in 1817.

Sir W. Follett.—No, 1815 is the first.

Lord Abinger.—The first, I find, is 1817.

Sir W. Follett.—There are three accounts, 1816-17, and 18.



Lord Abinger.—The first, I find, was 1817; but they are so mixed up together that it is very likely I may be mistaken. No; it is 1816. The gentleman supposes, because there is the date of 1815 in it, it was a transaction in 1815. The account was rendered in 1816; and here it is signed, Calcutta, the 30th April, 1816. Therefore, the account is up to 1816. Well, that shews there was a balance at that time. This account had escaped me before. It appears, he then had a balance in their hands of 21,518 rupees, in 1815. And then we come to 1816; and that account gives credit for that balance, and carries it forward, with the interest, at 10 per cent. The next in order of time is 1822; it shews how badly they are arranged. I had arranged them all before. Now, the next I find is 1817. There, the interest is 9 per cent., and the balance is carried forward, and a number of transactions appear to have taken place on both sides, and the balance of that account is 109,697 rupees. And then we come to 1819; where there are some transactions, and the balance carried forward is 62,532. I believe I am wrong in the former balance. The balance is 53,720; there the balance is 62,209; and then comes 1820. Now I pause a little at 1819, because you have it in evidence that the three accounts in 1816, 1817, and 1818, were signed by Mr. Alexander. You have it in evidence, that Mr. Alexander was at that time in India, and the proof is, that all the remaining accounts, from 1818 down to 1832, are signed by somebody else, and not by Alexander.—When was it Mr. Macan died?

Mr. Henry Alexander.—In 1819.

Lord Abinger.—In 1819, Mr. Macan died: and, in 1825, Mr. Fullarton came to England. Now, then, the original partners, in 1818,—according to the account given,—the partners in 1818, were Mr. Fullarton, Mr. Henry Alexander, and Mr. Macan. In the year 1825, no one of these was in India. Macan was dead. Alexander was here, and Fullarton was here; and, therefore, all the accounts signed after 1825, must have been signed by somebody else. That, I think, is quite clear. Now, it may be said, that Mr. Hart did not know that any of the gentlemen had come to England. That is uncertain; and it is possible he might not have known it. If he did know it, then he must have known, at least after 1825, that none of the original partners had signed these accounts. When he came to England, it is not known. Mr. Alexander came in 1818. Mr. Alexander had executed a

deed, by which he ceased to be partner in this house, in 1822. That is a fact that is beyond all doubt, though it will not affect the Plaintiff in this case, if the Plaintiff never had any knowledge or any reason to suppose he had quitted the house. In 1823, Mr. Alexander was clearly a resident in England, and became candidate for the Directorship.—Now, it is said, on the one hand, that no Director can be a private trader to India; but all those who are acquainted with India affairs would probably know, if he were a candidate for the Directorship, that he had ceased to trade in India. Sir William Follett urges, on the other hand, that a man is not bound to know that; he tells you he himself does not know it. You will recollect, Gentlemen, Sir William Follett is not a witness, and not liable to be cross-examined.

Sir William Follett.—I have no objection, my Lord.

Lord Abinger.—And, therefore, I should advise you not to give credit to him.

Gentlemen, if you consider for a moment, while the India Company was a trading Company, and trading on account of themselves as a corporation, it would have been the most mischievous thing in the world, either to the interest of private traders, or the proprietors whom they represent, to have allowed them to trade individually, because, one would have supposed that the individual interest of each man, if he were a merchant in India, carrying on trade, would have been rather preferred to the corporate interest of a body, or to the interest of other traders; and, therefore, it is certainly very important to prevent the Directors of the India Company, who managed the whole trade of the corporation, from having any interest in any private trade in India. Now, whether Mr. Hart knew that, or not, is matter of conjecture, about which you must exercise your own judgments as to what is probable. I presume, it is not a very violent, and, I hope, not an offensive supposition to any body, that, a man who has lived many years in India, and whose whole fortune was vested in India, and one who was living upon the acquisitions he had made in India, and whose connections were probably in some degree connected, also, with India, would not be a person likely to be most ignorant, either of who were the India Directors, or of the general prohibition that the Directors should not trade in India. Such is the law. I don't say he was bound to know the law; far from it. We know, that, in the Criminal Law, every



man is bound to know the law, because he violates it at his peril. Not so with a law of this sort. But it is for you to judge, and for you to take that into your consideration; for you have here a case, not of positive proof, but of circumstantial evidence and probability: well, then, if you think it is probable that Mr. Hart was likely to know that, your next step is,—is it probable that he was likely to take any interest about who were the Directors?—I am quite sure I cannot tell whether he did or not. You have it in evidence that he was living at Hythe, and that he subscribed to a reading-room, and that he was frequently in the reading-room, and read the newspapers, like any other man. It is said, there is no proof he was at Hythe at the time that this paper was there, but, a man who is in the habit of reading newspapers, if he happens to go from home, where a particular paper is published, is very likely to see it elsewhere, because the *Courier* newspaper is not confined to the reading-room of Hythe. And, therefore, the fact is not proved undoubtedly that he read the paper. The only question for you to say, is, whether he read the paper or not.—If you are of opinion he was likely to look for a change of Directors, from a natural interest that he might take; and that he took some interest in what was passing in India affairs; and you think it probable that there is a reasonable ground for the conclusion that he did see in the newspaper, Mr. Alexander's address he could not have acted in the year 1823, therefore to have seen that he had retired from the house in India, because that address distinctly states it. It distinctly states it. It is stated by the Defendant that he had no means of direct and positive proof, and one of the reasons he gives for it is, that the transactions that took place so many years ago, and in India, make it very difficult at this time to afford precise evidence. Clerks may be dead, who cannot prove the handwriting; documents may perish in the course of 20 years,—in the course of 20 years or a less time than that: and this is a subject worth consideration. You don't expect such direct and positive proof of what happened in the year 1823, or what happened in 1822, in India, as you would expect to have of what happened last year in England. It would be unreasonable, if juries were to try cases upon circumstantial evidence, and were to expect the same complete exactitude of evidence in a case that occurred in India so far back as 1822, as they would expect of persons who had the means

of proving, by witnesses in England, what passed in the course of a very few years. Now, if Mr. Hart happened to have been in India, in 1822—if he were in India at that time—you have it proved (because you have an India Gazette) that, in an India Gazette, of 6th May, 1822, there was a publication of an advertisement of the dissolution of partnership of Mr. Alexander. That you have had read to you. That is read from a Commission that came from India, and it was proved that it was published in the India Gazette, and the Gazette was produced annexed to the exhibits of the examination, and it appears there, that, on 6th May, the Gazette announced that on the 1st of May, Henry Alexander ceased to be a partner, and announced, also, that Nathaniel Alexander was a partner. Now, whether Mr. Hart was in India all that time, or not, I cannot tell; but if he were, I can only say, that is the ordinary evidence by which, in England, you can conceive notice given to men who don't read the Gazette at all: it very often happens they cannot find the means of advertising each particular individual who may have trusted the house, and, therefore, they put it in the Gazette;—and that has generally been considered sufficient evidence of notice.—However, Mr. Hart appears to have been living at Hythe, in the year 1822. The gentleman from Hythe said so; what time in 1822, does not appear. He was living there in 1822, 1823; and so on; if you think he read the newspaper—if you think he took any interest in India affairs, and was likely to know the names of the Directors, and likely to see of whom the Direction consisted—it is for you to say whether it is not probable he read that newspaper. And, then, it appears, he received accounts constantly; and he has an account with Fletcher, Alexander, and Co., of London. Now, they are said to be the agents of the house of Alexander and Co., in India. He has an account with them. Now, it was competent to him to have called any one of the members of that firm, or the whole of them, to prove at what time he first learned from any of them,—if he did learn it from them,—that Mr. Alexander was in England, was an India Director, and was no longer a member of the firm in India, or any charge in the firm. He knows nothing about that. All that he knows is, that, from that time down to the year 1831, he continued receiving his accounts. Now, then, I should state to you in my opinion, as a matter of law, if you think that at any time between the



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years 1822 and 1825, he was acquainted with the fact that Mr. Alexander was not a member of the firm, it would not on that account, on that account alone, deprive him of his remedy against Mr. Alexander, as one of his original debtors. But if you think he did know that then, I will shew you, by these accounts, that he made a new contract with the existing partners, which not being Mr. Alexander must be taken, in my opinion, in point of law, to discharge Mr. Alexander. Now, I will shew it to you. In the year 1817, I stated to you the interest was at 17 per cent.,—

Sir W. Follett.—I don't think the interest was quite so high as that, my Lord.

Lord Abinger.—It is 10 per cent. In 1820, the interest was 8 per cent. In 1821, it was 8 per cent. In 1822, the 30th April, 1822, is the very year, the very period, that Mr. Alexander quitted the firm, then, the account rendered that year is at 6 per cent. But, now, let us see what it was in 1823:—in 1823, it was 6 per cent.—in 1824, it was 6 per cent. Now, comes the year 1825.

Sir J. Campbell.—My Lord, I have got written on a very small space the rates of interest.

Lord Abinger.—I have done it now—In 1825, which was the year Mr. Fullarton left, it was 5 per cent. Now, here I pause for a moment. If he was aware by any means, not by direct evidence, if he was aware by any means that Mr. Alexander had left the house, what is he doing now? He receives notice here, in his account current, that they are allowing interest only at 5 per cent. Now, if he consents to leave his money there on interest, that changes the contract that is made with them while Mr. Alexander is a partner; then, he is consenting to a new contract; that contract is not a continuation of the old contract, but entering into a new one. It is 5 per cent. that year. Now, we will see, how it goes on. The next year, which is in 1826, it is 7 per cent. Then it is enlarged again you see, in 1827, it is 7 per cent. In 1828, it is 8 per cent. In 1829, it is 8 per cent, and, I think, it continues 8 per cent. with the exception of one year after, when it is 9. Now, if he were aware, that Mr. Fullarton was not a member of the house he made a new contract, Mr. Fullarton, upon all the evidence in the case, is equally liable with Mr. Alexander. And, if you were trying this action now, against Fullarton, instead of Alexander, the same argument and the same evidence might be urged. And yet, what happened? You find that, in 1831, a

power of attorney is executed by him, as executor to a brother of his, who died in Persia. There is another executor who joins in the power of attorney. He goes to Fletcher and Alexander's office, and signs the power of attorney. And, it appears, he filled up, in his own hand, the date of the year 1828, shewing the day. I presume, when his brother died, which had been left in blank, because it was not known; and that power of attorney actually describes the existing partners,—the four partners, I think.

The Attorney General.—Five.

Lord Abinger.—Five:—Young Bracken, Ballard, Sutherland and Nathaniel Alexander, the partners trading under the firm of Alexander and Co. in Calcutta. Now at that time at all events he knew that the house of Alexander and Co. consisted of these individuals, and I think it is fairly to be taken of these individuals only. It is said but that power of attorney ought not to be urged as evidence against him, because no proof is given you under what circumstances he was induced to execute it. If Mr. Hart had been an infant, or if he had been of weak mind, and the case of the counsel for him had been that he was easily imposed upon, and that Alexander and Co. wishing to conceal from him any change in the firm or the house, and wishing him to suppose that Mr. Henry Alexander remained a partner, and for what reason I cannot tell had deceived him, and put these names in, and got him to sign the power of attorney without his reading it. I could understand the meaning of the very long discussion we have had upon this subject, but Mr. Hart, from his letters, two of which have been read appears to be a man of business from his letters, he appears to have had some knowledge of affairs, and I take it for granted he is a man of competent judgment, therefore why should we discuss for half an hour, and here I must beg Sir William Follett's pardon for interrupting him, but when he said I had formed a strong opinion upon the case, from which he inferred I meant to sum up strongly against him. I mean to say on that particular point I do mean to sum up strongly against him; but my reason for interrupting him was in order that I might spare your time by not going into a long history of why the power of attorney was executed, when really the only question was whether at the time it was executed Mr. Hart knew these persons were partners in the house.

A Jurymen.—Then why substitute a bankrupt estate for a solvent debtor?



## *Home Intelligence.*

Lord Abinger.—We have not come to the bankruptcy yet. There was a bankruptcy, but that did not take place till 1832. I am now speaking of the power of attorney executed in 1831. We are now on the question of knowledge, that is all. In 1831, it is clear that he knew these five persons were part of the house of Alexander and Co.—how long before that did he know it? Did he know that Mr. Alexander had ceased to be a partner? I have gone through all the evidence upon that subject before. If you think he knew nothing about India affairs,—if you think he could not read the newspaper,—if you think he had no knowledge at all that Alexander had declined being a member of the firm,—if you think that upon the whole of the evidence in the cause you are satisfied that that is the case, then he might have some ground for saying he would not have taken the new firm, and, in point of fact, he did not, but still held Alexander liable. But then there is a very curious fact in the cause which has not been adverted to, the house did become bankrupt in 1832. Now if he had been imposed upon, suppose he might not have known what his rights were; that I think should not bind him. He sent a power of attorney to make proof under this bankrupt house, but it is very singular he made that very Mr. Fullarton one of his original debtors, one of his attorneys to receive the money under that house, and that took place in 1833, and this action was brought in 1835. The action was brought in January 1835, two years before, or nearly two years before, that I find he made Mr. Fullarton, along with some person in India, his attorney, to prove his debt under the bankrupt house; why, it is a very singular thing, because there is no earthly reason to suppose that he did not know Mr. Fullarton as well as Mr. Alexander. He was in India at the time, Fullarton was in India at the time, and was connected with the house at the time, and yet you see he appoints Fullarton; now the learned counsel says to you he did not know who Fullarton was. He directed his letter in the name of Fulton. He signed the power of attorney in which he is named Fullarton. Now, whether there was a mistake in the address of the letter or not, I do not know, he might have mistaken the name in the address, but he could not have been mistaken with regard to Fullarton being a partner in the house. Now, if you should think that at the time he signed that power of attorney, he must have known Fullarton

was not a partner, but that Fullarton had quitted the house, why should you suppose he did not know Alexander had quitted it too, because this is evidence just as strong against Fullarton as against Alexander. Gentlemen, I do not apprehend with regard to the power of attorney that the defendant was called upon to give any other evidence than he has done. His business was to shew by circumstances as well as he could, that Mr. Hart had notice—that he had reasonable notice that Fullarton and Alexander had quitted the firm—and among other evidence he adduces the power of attorney signed by him in 1831. Now, can you suppose Mr. Hart to have forgotten that he signed that power in 1831. He has an account with the house of Fletcher, Alexander and Co. in London, if they charged him in the account for preparing that power of attorney and had paid it, he might have called any of the members of that house to shew that they prepared the power of attorney, but whether they did or not he signed it, and therefore at that time he knew. Now there is another consideration that is at least worthy your attention. This gentleman had been acquainted with India; he left India at least as early as 1832. Sir W. Follett, I think you said 1822.

Sir W. Follett.—The witness said he had been at Hythe in 1822, but he was there sometime before.

Lord Abinger.—Well, in 1822. Was it likely that the very great house of Alexander and Co., a very considerable house, one of the important houses in India, though, God knows, bankruptcy has overtaken many houses, that the leading partner of it was likely to remain for so many years a partner as from 1818 to 1832, or that that house would not undergo many changes; if it did not, I undertake to say no house in India was like it, because in India you will recollect, where the interest of money was very high, and where the mode of making money by mercantile men enabled them to pay so high an interest for money, it used to be, it is not as now, but it used to be the rage in India for mercantile houses in India of very great extent to make very rapid fortunes. Mr. Fullarton, it is proved, came here in 1825, and remained here I presume till the bankruptcy of this house, when in consequence of that and other losses, he went back to India. But why should this gentleman conclude now of necessity that Mr. Alexander must be a partner during all this time, supposing there was no evidence at all upon the subject? From the mere loss



"Where the injury is only slight, capital punishment ought not to follow. The law as it now stands is very defective."—*Lord John Russell*.

The writer is not prepared to say that capital punishment for wilful murder is opposed to reason and revelation; but the following sentiments from eminent men, are worthy of mature consideration. A Heathen has said, "*Nulla unquam de morte hominis cunctatio longa est.*"

"In a reign of tranquility; in a form of government approved by the nation; where all power is lodged in the hands of a true sovereign; where riches can purchase pleasures and not authority, there can be no necessity for taking away the life of a subject."—*Marquis Beccaria*.

"Capital punishments are prejudicial to society, from the example of barbarity they furnish, and that they multiply crimes instead of preventing them."—*Bradford*.

"Executions are rare in Holland. A great number for child murder are condemned to work in spin-houses for life, and to be whipped *annually* on the day when, and the spots where, the crime was committed. This mode of punishment is dreaded more than death, and since it has been adopted has greatly prevented the frequency of the crime."—*Howard*.

"Elizabeth, Empress of Russia, pledged herself, on mounting the throne, never to inflict the punishment of death, and she kept her word. Peter III. was not less frugal of the blood of his subjects. And Katharine very rarely caused it to be shed by the hand of the law—never, except in cases of high treason."—*Pastoret*.

"Regarding capital punishment, which has occupied public attention so much of late, it has been justly remarked, that *it is dangerous to liberty*, in as much as it puts a weapon into the hands of tyrants, of which they have never failed to make abundant use in the oppression of the people. "Murder, on those occasions, arrays itself in the spotless ermine of Justice, covers itself with her robes, mounts her sacred seat, borrows her holy language, adopts her forms, calls it iniquitous sentence the judgment of the law; and even when it stretches forth its bloody hand for execution, it wields her own weapon, and inflicts on the innocent victim no other punishment than that *which previous laws had provided for guilt.*"—*Livingstone*.

"In Tuscany during 20 years the punishment of death was altogether abolished by the Grand Duke Leopold. Buonaparte afterwards had it restored. On comparing three successive period of 20 years each, in the first period capital punishment existing—in the second period abolished—and in the third again restored, as



of time is it probable to suppose he was a partner so long? That is for you to say gentlemen. Did he not know he was in England—why, Mr. Hart is a gentleman who having been in service in India, I presume, knows something of life. He reads the newspapers. Is it possible he should not have known that Mr. Alexander had ceased to live there and was in England? If he had enquired at the Court of Directors could he have failed to know that? Now, with respect to men quitting solvent or insolvent houses, there is a very great temptation given to gentlemen to leave money in the hands of mercantile houses in India at interest, because the interest is from ten to nine, eight and seven per cent., and many unhappy men have been ruined by the temptation of leaving money in the hands of India houses at that large rate of interest. Now, in his own letter we find this statement (this is a letter of his dated in 1834) in that very letter, addressed to Mr. Fulton, he says, “you remark with regret the largeness of the balances standing in my own and my brother’s name. As regards the property of the estate on my brother’s demise, the house was directed to place the whole in the six per cent. remittance loan.” The partners then wrote for power, entreating that at the same time, for the benefit of the estate, the thing might be kept a secret for fear of the Registrar, should they hold the property—the power was sent out, and what did they do? why put the estate to the expense of a probate!!! with the future benefits now attached to it in the house of Shotton and Co. of Bombay there was some property, and Dr. Cormick had put the whole estate into their hands (being his own personal friend) directing them to place the trust property in the six per cents.; they placed 2,500 rupees in the six per cents. and as soon as they took out the probate, sold the whole of the Company’s paper amounting to nearly 24,000 rupees, carrying the amount to the credit of their own house, and this just previous to their stopping payment. I was introduced to Hugh Hope, of the Bengal Civil Service, and Mr. Jeremiah Johnson, of the Bengal Army when in Java; this failure, I am told destroyed the latter, the former, poor fellow did not live to witness it. For my own individual part, I do not complain of any direct breach of faith, or trust, further than I consider the creditors in Europe have been sacrificed to benefit the creditors on the spot; with regard to Mr. Fulton, I never heard of any sum or sums paid on my account; indeed, his father repaid me the sum advanced, but

the family wished me to write out under the impression that remittances might be made which would be very acceptable to them. I was requested (in 1829) by a friend then returning to India, that a power should be given him for the purpose of removing the property into the Company’s funds.” Therefore you see, gentlemen, it was under his consideration, at least, by his own letter, as far back as the year 1829, whether he should transfer this or part of it into the Company’s funds, when the Company’s funds paid only six per cent., but he was getting you see right at that time. He did not suspect the house was insolvent in 1829; he could not suppose so, nobody expected it at that time I believe. There is no evidence at all that any apprehension existed in the mind of any man in England, that the house of Alexander and Co. in India, was not perfectly solvent shortly before the time of its actual failure, and therefore it never became a question with him whether he should part with a solvent for an insolvent debtor. I do not think the receiving the bill of exchange is a matter of any importance at all, it was received since the action was brought; but it is of importance to shew he sent the power of attorney, Fullarton, to receive a dividend under this house. I cannot very well see, if he made the contract with this house that existed in 1832, and was entitled to receive from them the balance due to him according to the account rendered by them at the rate of interest they allowed him, I cannot see if he had the slightest reasonable ground to suspect; at all events, if he believed that Mr. Alexander had quitted the house, it appears to me he had no right to hold them both liable, to say, I will hold Mr. Alexander liable for all that was due to me in the year 1822, and I will hold these gentlemen for all the accumulation of interest in their hands, which I have allowed to remain in their hands since that time. The only ground, therefore, upon which he could entertain a claim against Alexander is this,—that from the time Alexander quitted the house, he was wholly ignorant that he had quitted the house, but that he supposed him to be a member of it up to the very time when he saw his change of interest in the accounts—that he supposed no new man carried into the house, at all events that Alexander had remained and that no new man had undertaken with Alexander to pay this debt. If you suppose that the plaintiff is entitled to your verdict, but if you have reason to think on the whole of the evidence circumstantial evidence,



though it be, that Mr. Hart was in a situation of life, with a degree of intelligence, with a sufficient aptitude to look after his own affairs, and to be likely to know that Alexander had quitted the house, that the house had changed partners, that Mr. Alexander at least, for that is all we have to do with, had ceased to be in the house when he became a candidate for the Directorship, that he had probably read the newspaper; if you think that, then I think the defendant is entitled to your verdict. There is one other circumstance, gentlemen, respecting the notices. The Attorney General, as I understood him, said, he hoped to be able to prove that a notice was sent; if he could have proved by legitimate evidence, which he certainly has not, that letters were put into a ship, directed to this gentleman, why, then, proving the arrival of that ship would have made it probable he got the letters, but he cannot prove that. The evidence, received from India, don't prove the letters were put into the ship. There is this proved; the proof is, that upon the several changes in the partnership, that did take place, circular letters were written. Now, that is proved: whether one was written to Mr. Hart, or not, is a matter that lies only in conjecture. Mr. Hart says, one was not written to him; that is no proof it was not. You ought not to take it from him. The defendant says it was. It is matter left for your conjecture, from the other circumstances whether, as the others did receive circular letters, it is not most probable Mr. Hart received them. If a clerk had been called to prove they did receive letters, that would be no evidence that Hart received them. You must take only the general evidence, you cannot go into particulars that don't touch Mr. Hart. The effect of the evidence in the case, is, that circular letters were generally written on a change in the partnership, but, whether to Mr. Hart or not, there is no evidence to shew. It appears to me, therefore, to say much more on the other evidence in the case—whether you think, on the whole, it was highly probable, and as men of honor and conscience, you believe he must have known that Alexander was not a partner in the firm in the year 1823, or had ceased to be at any time before any change of interest indicated it. If you think that he probably did know that,—if you, as men of honor and conscience, believe it, I think the defendant is entitled to your verdict. If you, on the contrary, believe he did not, then you must give him your verdict. I conceive the law to be this, that

when a gentleman, who is a partner in a house, leaves the firm, and any person trading with that firm has knowledge of it, and he goes on trading with the firm, entering into contracts, taking new rates of interest, or entering into new contracts, by that fact, he acquits the old partners, and consents to take the remaining partners for his debtors; and that is so even though no new partner comes in. I should state to you, by way of example, if you had an account with a man, and a balance of £500, and then you were informed that one of the partners had quitted the concern, and knowing that you had next year received an account of 5 per cent. interest, instead of four, and you accede to that, that acquits the old firm; or, if you draw upon the firm for the balance, and send more goods to them, so as to make a change in your account, that is dealing, after knowledge, with the new partners, because the old partner cannot be responsible for goods you send them, or for the proceeds of them, after you know he is out of the concern. You cannot, therefore, hold both liable in the transaction; and if you take the continuing partner for the new transaction, you must take him for the whole. So, again, if there is an additional partner comes in, and you receive an account from that partner, and consent to take it, knowing that another partner has quitted the firm, you must then take the new partner; you acknowledging and taking him as your debtor instead of the old; and that is a good consideration for taking the new and discharging the old. And if the customers, knowing that, had entered into new transactions, and had changed the accounts with them, then, the old partner would be discharged. Or, if a new partner comes in, and the account is continued with him, and you acknowledge the balance due from the new partner, you cannot have the credit of the new partner, knowing of the retirement of the old, without discharging the old. I believe that is the law upon the subject. There have been some cases that do run into some sort of contradiction, but I believe that is the result upon the whole, therefore you will say on the evidence whether you do or not believe Mr. Hart had knowledge, not formal notice, but knowledge of the retirement of Mr. Alexander, if you do believe that, I think you ought to give the defendant your verdict.

The jury after consulting a short time, returned a verdict for the defendant, and his Lordship certified it was a fit case for a special jury.



THE  
EAST INDIA AND COLONIAL  
MAGAZINE.

ON THE DECREASE OF CAPITAL PUNISHMENT.

“Capital punishments ought to be limited to a small number of offences. We ought not to be behind other nations in mitigating the severity of our criminal code.”—LORD JOHN RUSSELL.

*To the Editor of the East India Magazine.*

THE writer, during a residence of a few years in India, was deeply affected by the sacrifice of human life arising from the prevalence of the Suttee, the Exposure of the aged and sick upon the banks of the Ganges, the mortality of pilgrimages, &c.; and since his return to his native land, his sympathies have been exercised by the prevalence of capital punishments. A French writer, *M. Lucas*, observed: “To sacrifice a man in honour of an abstract principle of safety, is like following the example of the Indians in offering human sacrifices to their gods. There is a kind of atheism in the stroke which takes from man the responsibility of his destiny, and which sends him to the grave in the midst of his crimes.” It is a source of gratification to every enlightened and philanthropic mind, that considerable ameliorations have been introduced into the criminal law of almost all the States of Europe, and in the United States of America. Still much remains to be done; and the present period is eventful in the reform of British jurisprudence.

*The inefficiency of sanguinary laws to repress crime is evident from painful experience.* The authorities to establish this position are numerous and of the highest respectability.—“In England during the reign of Henry VIII. 2000 criminals, on an average, were executed annually for theft and robbery, beside other malefactors.” *Sir Thos. More* tells us that it was not uncommon to see twenty thieves hanged at once on the same gibbet. And yet, notwithstanding this profusion of blood, property was never more insecure than at that period. *Harrison* assures us that Henry VIII. executed his laws with such severity, that 72,000 “great and petty thieves were put to death during his reign!” He adds, that even in Elizabeth’s



reign, "rogues were trussed up apace;" and that there was not "one year commonly wherein 3 or 400 of them were not devoured and eaten up by the gallows in one place or another." In spite of these sanguinary punishments, the country continued in a dreadful state of disorder. In the days of Elizabeth it was observed and regretted, "that at the time of doing execution of such as had been attained of any murder, felony, or other criminal cause, ordained chiefly for terror and example of evil-doers," people persevered in their "felonious sleights and devices."

The *Rev. T. Roberts*, of Bristol, in his visits to prisons in England from time to time, has fallen in with many convicts under sentence of death;—in 167 instances he enquired of the malefactor, whether he had ever witnessed an execution? *It turned out that all of them, excepting three, had been spectators in the crowd* upon these melancholy occasions, which the legislature designed to operate as warnings to the profligate. So much for the "efficacy" of sanguinary examples in deterring from crime.

*Sir Samuel Romilly's* remark in the House of Commons, implying that the best way to purify our criminal code from its inhuman enactments, would be to burn the numerous penal Statutes passed during the last three centuries, for that they were nearly all of modern growth, will be illustrated by the following facts stated in the House of Commons by Mr. *Fowell Buxton*: viz.

4 offences were made capital in the reigns of the Plantagenets;	
27 —————	Tudors;
36 —————	Stewarts;
156 —————	House of Brunswick;

or, added the Hon. Member, "*more crimes have been denounced as capital in the reign of his present Majesty, (Geo. III.) than in the reign of the Plantagenets, the Tudors, and the Stewarts combined.*"

The following brief extracts from "*Montague on the Punishment of Death*" will merit attention.

"The frequency of capital punishments rarely hinders the commission of a crime, but naturally and commonly prevents its detection."—*Dr. Johnson.*

"The laws of the Roman Kings and the twelve tables of the *Decemviri* were full of cruel punishments: the Porcian law, which exempted all citizens from sentence of death, silently abrogated them all. In this period, the republic flourished; under the emperors, severe punishments were revived, and then the empire fell."—*Sir W. Blackstone.*

"If punishments be very severe, men are naturally led to the perpetration of other crimes, to avoid the punishment due to the first.



The countries and times most notorious for severity of punishments, were always those in which the most bloody and inhuman actions and the most atrocious crimes were committed ;\* for the hand of the legislator and the assassin were directed by the same spirit of ferocity ; which, on the throne, dictated laws of iron to slaves and savages, and in private instigated the subject to sacrifice one tyrant to make room for another."—*Marquis Beccaria*.

" It is a constant remark of the Chinese authors, that the more the penal laws were increased in their empire, the nearer they drew towards a revolution. It would be easy to prove, that in all, or almost all the governments of Europe, penalties have increased or diminished, in proportion as those governments favoured or discouraged liberty."—*Baron Montesquieu*.

" It seems to be fast approaching to an axiom, that crimes are less frequent in proportion as mercy takes the place of severity, or as there are judicious substitutes for the punishment of death."—*Clarkson*.

" It seems to me a very unjust thing to take away a man's life for a little money ; for nothing in the world can be of equal value with a man's life. If it be said, that it is not for the money that one suffers, but for his breaking the law ; I must say *extreme justice is extreme injury*."—*Sir Thomas More*.

" That is the best law which gives least liberty to the arbitrage of the judge. Any over great penalty besides the acerbity of it, deadens the execution of the law."—*Lord Bacon*.

" In no countries are atrocious crimes more frequent, than in those in which the punishments are the most inhuman."—*Burgh*.

" The English only murder by-law."—*Voltaire*.

The *Mosaic law* did not require life when a wounded person survived. " If men strive together and one smite another with a stone, or with his fist and die not, but keep his bed ; if he rise again and walk abroad upon his staff, then shall he that smote him be quit, only he shall pay for the loss of his time, and shall cause him to be thoroughly healed."—*Exo. 21. 18. 19*.

*The recent amelioration of the severity of the criminal laws is a subject of gratulation.* Lord John Russell in his able speech on " The amendment of criminal Law," March 21st, 1837 ; observed : " In their report, presented to Parliament last Session, the Commissioners, stated that there were many offences now capital, from which capital punishments ought to be removed. The disproportion is great between the number of persons sentenced to death under the present laws and the number executed. In 1835 the whole number



condemned, was 523, the number executed, only 34. 1836 the number condemned was 494, the number executed was 17. The punishments are in great disproportion to the convictions. With respect to murder, 25 persons were convicted in 1835; one of these was pardoned in consequence of informality in the indictment, three were transported and 21 were executed. For burglaries, 193 were sentenced to death, but *only one executed*. For the crime of shooting with intent to murder, 60 were sentenced to die and two only were executed. For robbery, 202 were convicted, and no person executed. For burglary, it appears that since 1832 there have been three persons executed; in 1833, one; in 1835, one; and in 1836, one. The great disproportion between the number of convictions, and of executions is open to strong objections. Besides it places in a very painful situation the Judges of the land and the Secretary of State, who are obliged to administer a law which generally is not carried into effect."

The following document will shew the progress of amelioration in the criminal code, and how much yet remains to be done.

### ENGLAND AND WALES.

Number of persons condemned to death, and the number executed, in the four years ending with 1831, for crimes which, by Acts passed in 1832 and 1833, cease to be any longer capital.

Extracted from Parliamentary Returns.

For the Crime of,	Cond. to Death.	Execut.
Coining, &c.....	38	2
Horse-stealing .....	538	12
Sheep-stealing .....	652	8
Cattle-stealing .....	98	—
Stealing in Dwellings (to £5)....	303	5
Forgery, and Uttering, &c*.....	131	11
Housebreaking (by day).....	1966	28
Total in four years.....	3786	66

### PUNISHMENT of DEATH

since repealed,  
by Bill of

Lord Auckland  
23 May, 1832.  
Mr. Ewart,  
11 July, 1832.  
Sir T. Denman  
16 Aug. 1832.  
Mr. Lennard,  
14 Aug. 1833.  
Com. 1 Jan. 1834.

\* Returning from transportation, letter-stealing, and sacrilege are no longer capital.

The following is a return to an address of the House of Commons dated March 21st, 1837, respecting the number of executions for London and Middlesex for the following periods.

Three periods.	Executions.	Commit.
In three years ending 1830,	52	960
Ditto 1833,	12	896
Ditto 1836,	none.	823



Number of Persons executed in <i>England and Wales</i> :—									
1827	1828	1829	1830	1831	1832	1833	1834	1835	1836
73	59	74	46	52	54	33*	34	35	17
Of the above the following were for murder :—									
1827	1828	1829	1830	1831	1832	1833			
11	18	13	14	12	15	6			

*The propriety of capital punishment being restricted to wilful and actual murder, is deserving the serious attention of an enlightened legislature.* It has been justly observed, "The antipathy to sanguinary punishments is characteristic of a people not only of humane instinct, but of sound moral perceptions. The frequency of death inflicted for crimes, which are not of the last degree of malignant depravity, not only pains the feelings, but shocks the understanding of a people, who are capable of judging of the degrees of crime by another standard than the artificial criterion of the legislator. Neither reason nor the Christian religion allows them to reverence a vindictive system of justice, which attempts the suppression of crime by a violation of those moral distinctions, which are more firmly established by God and nature, than the foundations of the universe."

The printed proceedings of the House of Commons for 1830, contain the copy of a Petition from the Inhabitants of *Hackney*, against the punishment of death, one paragraph of which is drawn in the following appropriate and forcible terms: "Above all, your petitioners are deeply impressed with the sentiment, that the Creator and Lord of Life has not invested monarchs, or any other description of rulers, or any nations, or other communities of mankind, however legitimate, venerable, or powerful they may be, with the right to exercise an unlimited discretion of enacting the punishment of death, for whatever offences they may think fit; but, that the competency of human legislatures for such legislative decisions is limited by the natural and revealed law of God."—This important principle ought not to be lost sight of in the approaching session of parliament, when the criminal code is to undergo a revision.

The authorities are numerous and highly respectable for restricting capital punishment to a very few crimes, if not exclusively to murder. One of the strongest reasons against punishing with death any other offence than murder, is furnished in *the Rambler*. "To equal robbery with murder, is to reduce murder to robbery; to confound in common misdeeds the gradations of iniquity, and incite the commission of a greater crime to prevent the detection of a less. If only murder were punished with death, very few robbers would stain their hands in blood; but when by the last act of cruelty, no new danger is incurred, and greater security may be obtained, upon what principle shall we bid them forbear?"—*Dr. Johnson*.



"It is a great abuse amongst us to condemn to the same punishment a person that only robs on the highway, and another who robs and murders. Surely, for the public security, some difference should be made. In *China*, those who add murder to robbery, are cut in pieces; but not so the others; to this difference it is owing, that though they rob, they never murder. In *Russia*, where the punishment of robbery and murder is the same, they always murder; the dead say they, tell no tales."—*Baron Montesquieu*.

"If we really believe, that the law of Moses is the law of God, and the dictates of divine wisdom, infinitely superior to human; on what principles do we ordain death as the punishment of an offence, which according to that law, was to be punished by a restitution of four-fold? To put a man to death for a crime which does not deserve death, it is not murder?"—*Dr. Franklin*.

"Our Saxon ancestors, fierce as they were in war, had but few executions in time of peace; and in all commencing governments that have the print of nature still strong upon them, scarcely any crime was held capital."—*Dr. Goldsmith*.

"If the evil of the punishment exceed the evil of the offence, the legislator will have produced more suffering than he has prevented. He will have purchased the exemption from one evil at the price of a greater."—*Bentham*.

"It is quackery in government, to apply too frequently the same universal remedy, the *ultimum supplicium*. That magistrate must be esteemed a weak and cruel surgeon, who cuts off every limb, which through ignorance or indolence, he will not attempt to cure."—*Blackstone*.

"In *Sir Robert Peel's* Speech, April 1830, he acknowledged; "It is impossible to conceal from ourselves that capital punishments are more frequent, and the criminal code more severe in this country, than any other in the world."

In conclusion, who but must respond to the sentiments of *Lord John Russell*, in the Speech before alluded to?—"It is a disgrace to us to have statutes by which *five hundred persons* may be condemned in one year. We ought not be behind other nations in mitigating the severity of our criminal code."

*Authorities are numerous for the decrease of capital punishment, and even for its entire disuse.*—*Mr. Wilberforce* in his place in Parliament, said, "That he well remembered a great and lamented public character (*Mr. Pitt*,) at an early period of his life, intended to have a digest made of the whole criminal code, with a view of lessening, in a great degree, the number of capital punishments which it contained and objections to which it was impossible to confute."



above-mentioned, it is found, that *few crimes, and fewer murders*, were perpetrated in the middle 20 years, *while no execution took place*, than in either the preceding 20 years while the scaffold was in use."—*Livingstone*.

In *Belgium*, capital punishment has been abolished since 1829.

"During *seven years* that *Sir James Mackintosh* was Recorder of Bombay, the punishment of death, was never once inflicted by the Court over which he presided. In this period there were but six convictions for murder, whilst in the preceding seven years there had been no less than eighteen convictions for that crime, notwithstanding the numerous executions. These facts correspond with the important results obtained during twenty years in Tuscany as reported by Mr. Berlinghieri the Tuscan Ambassador at Paris."—*Lucas de la Peine de Morte*.

"Christian magistrates, ruling under Christ the Prince of Peace, may abate the severity of Moses' Law and mitigate the punishment of death; but they cannot add to it to make the burden more heavy; for to show more rigour than Moses, becometh not the Gospel."—*Sir Walter Raleigh*.

"I prohibit that any man should be put to death for any cause whatever."—*William the Conqueror*.

*The Marquis of Beccaria* advocated the abolition of capital punishments. In this concluding observations he remarks—"If these truths should happily force their way to the thrones of Princes, be it known that they come attended with the secret wishes of all mankind, and tell the king who deigns them a gracious reception, that his fame shall outshine the glory of conquerors; that equitable posterity will exalt his peaceful trophies above those of a Titus, an Antonius, or a Trajan."

Who is not interested in this subject both personally and relatively? How painful the situation of many, who, being liable to serve on juries, feel a conscientious scruple to assist in a verdict affecting the life of a man, and who cannot be satisfied that they are in no wise responsible, when acting a part, without which every sanguinary statute would be inert. The present time is eventful, as the revision of the criminal code is now under the consideration of the Imperial Parliament. Petitions and representations to the members of that august assembly are very desirable and important. May the sentiments of revelation be speedily fulfilled—"Mercy shall be built up for ever."

J. PEGGS.

BOURN, Lincolnshire, April 19, 1837.



## THE NEW SETTLEMENTS OF PORT PHILLIP AND SOUTH AUSTRALIA.

The appointment of Captain Lonsdale to the new and important office of Police Magistrate for the district of Port Phillip and of a civil and a military force to accompany him to that settlement, forms an era in the history of New South Wales, upon which the reflecting mind may ponder with peculiar interest. From all that has been hitherto ascertained concerning that part of the territory, there can be no rational doubt that it is destined to become a flourishing sphere of emigrant enterprise. Embracing an area of which the inland limits have not yet been traced, but which is known to be of gigantic dimensions; consisting principally of natural downs and meadows, unencumbered with forests or brushwood, and clothed with luxuriant and perennial pasturage; commanding no very difficult access, on the one hand, to the western extremity of the districts already colonized by our own graziers, and on the other hand, to the new Colony now in the act to be planted by the South Australian Company; and, finally, possessing a climate whose salubrity is not exceeded by any part of either of the temperate zones;—what may not Port Phillip be expected to become before the lapse of many years? Brief as is the period since its value first came to light, what an enthusiastic spirit of adventure has it awakened among our Tasmanian neighbours! They have concentrated their means of investing capital in the purchase of sheep, and leaping, as it were, at one bound across the Straits—they are already settled on the soil of Australia—their flocks are roaming its plains by thousands—and, what with the increase and what with the fleece, they have already become possessed of accumulating wealth, and are prepared to meet, without inconvenience, the present interference of Government. Their plans have been well devised—their calculations carefully made. They are now informed by a Government Order, issued by command of his Excellency the Governor-in-Chief of New South Wales, within whose jurisdiction Port Phillip is unquestionably included, that—

Arrangements are in progress for effecting the survey and measurement of such parts of the land near Port Phillip as may be expedient to dispose of in the first instance; but until the same have been completed, of which due notice will be given, no application for purchase can be entertained. In the mean time, it is by those persons who may be desirous of resorting to Port Phillip from other parts of New South Wales, or from Van Dieman's Land, that no advantage will be obtained by the occupation of any land at that place



previously to its conveyance by a legal instrument from the Government of New South Wales, as, without such title, the land (unless required for public purposes) will be subject to be put up for competition at a public sale, and sold to the best bidder.

The occupancy of Port Phillip is by no means of such a character as to merit the *frown* of Government. The settlers have but taken the same course as the great body of our own graziers; and the incalculable benefits which have arisen to Sydney from their energetic intrusion beyond the prescribed limits of location, have induced the authorities to admit, that the law which could punish it "were more honored in the breach than the observance." Such admission was made in distinct terms by the official letter addressed to the President of the Agricultural Society, as a preparative for the recent act passed by the Governor and Council for restraining the unauthorised occupation of Crown lands; and is still more unequivocally expressed by the provisions of that Act itself. The Governor is thereby empowered to issue licenses for the occupation of lands of which the fee is still retained by the Crown, and such occupation, so long as the license shall remain unrevoked, is declared to be as legal as if held by deed of grant. This is a policy as wise as it is liberal, for a stern application of the royal prerogative to a case so peculiar would have involved the Colony in overwhelming distress; and, as a necessary consequence, would have worked most perniciously upon the interests of the public revenue.

The object proposed by the Government in restricting the disposable territory within the limits laid down, was, to concentrate the population. At the time these boundaries were adopted the energies of the Colony had been cramped by a succession of adverse circumstances, and its latent capabilities were but imperfectly understood. The area left open was, too, at the time, an immense extension of the space previously disposable; and was deemed fully sufficient to meet the wants of the agriculturists and graziers for many years to come. It was then little imagined what a spring the Colony was about to make,—how great would be its rebound from ~~adversity~~ to prosperity. But mark the result. The Colony, though an infant, has proved itself an infant Samson; for the official boundaries which would have kept it prostrate, have been burst asunder like so many withes. At all hazards, the cordon was overstept, and the energies of Australia have continued to push onward and onward, south, west, and north, with a rapidity and a suc-



cess which, the respective populations considered, America herself has not outstripped. For the Government to have attempted, by sticking close to points of law and forms of office to arrest, or even to *discourage* a progress so determined, and so palpably conducive to the general weal; would have been an act of madness.

Apply these views to the Port Phillip emigrants. They were as much fettered and depressed by the confined limits of the sea-girt territory of Van Dieman's Land, as were the graziers of New South Wales by the landmarks set up by Government. The increase of their flocks was checked by want of further pastures. They had no scope for that advancement, which they saw was so actively making by their Australian neighbours. They had no fair field for those exertions to which the British market urged them by every account-sales of wool that reached their hands. Under these disheartening circumstances, it was accidentally (or rather providentially) discovered, that the original settlement, which had been occupied thirty years before, and no sooner occupied than abandoned, by the primitive colonists of their own island, was not the sterile, miserable place, which in 1804 it was supposed to be; but, on the contrary, one of the finest tracts of country in the world for the purposes of sheep-grazing. The very people (for the existing race of Tasmanians are the representatives) who first took up their abode at Port Phillip for the purpose of founding a British colony, were, after the lapse of this long interval, the first to discover and to correct their own error.

The permanent importance of this new region, as an integral part of the colony of New South Wales, will of course very considerably depend upon the character of its harbour. If we are not mistaken, the only official survey ever made of Port Phillip was the one effected by Mr. Grimes, Deputy Surveyor-General, upwards of thirty years ago. Whether that survey was conducted with adequate scientific skill, with sufficient leisure, and with a competent outfit of mechanical means, it remains for a second and well-managed examination to ascertain. The settlement having been so abruptly broken up, and the Port afterwards so seldom resorted to by shipping, the survey of Mr. Grimes has not been fairly tested by experience. In the arrangements for Captain Lonsdale's expedition this essential point has not been overlooked, and measures have been taken for securing a minute and laborious survey of the entire



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harbour and of the adjacent coasts; and the reports of the surveyors will soon be laid officially before the public.

We look upon this expedition with the liveliest interest. If the accounts hitherto circulated respecting the state of this section of South Australia be borne out by statements authenticated by public servants, who are responsible for the accuracy of their facts, we feel certain that Port Phillip will become a powerful loadstone to emigration from the established parts of the Colony, and from Van Dieman's Land; and, not improbably, from Swan River, and from the mother country itself.

Having noticed the colonization of Port Phillip, we now turn to that portion of her territory which has lately been vested by Act of Parliament in a body of voluntary Adventurers, under the name of the South Australian Association, or Company.

When this scheme was first set on foot, so many were the objections raised against it by the English Press, by Members of the House of Commons in their place, and even by his Majesty's Ministers, that few impartial lookers-on were disposed to confide in its soundness, or to anticipate for it any better fate than that of a bursting bubble. It was first projected in London, so far back as the middle of 1831, now more than five years ago; when a Committee of twenty-two highly respectable gentlemen, principally Members of Parliament, was formed for establishing a Chartered Company, to carry the measure into effect. Under the auspices of this Committee, as we are informed by an official publication, a large body of persons was collected, with the intention of settling in the intended Colony; but the Committee having failed, after a long negotiation with his Majesty's Government, to obtain the desired Charter, those persons were dispersed, and the project was necessarily abandoned for a time. Early in 1834, however, another Society was formed with the same objects; and, after much exertion to collect accurate information as to the site of the intended settlement, and to interest in their undertaking the King's Ministers and the most influential Members of the House of Commons, they at length succeeded in obtaining, not a Royal Charter, but, much better, an Act of Parliament, for their warrant and protection. Their first expedition left England early in the present year, and in all probability, has before now reached its destination.

We shall proceed to lay before our readers such information as we may deem calculated to meet their enquiries concerning this novel enterprise.



The territory vested in the Company appears to be bounded on the east by Cape Northumberland, taking in Capt. Sturt's Lake Alexandrina, and on the west by Fowler's Bay; that is, extending from  $132^{\circ}$  to  $141^{\circ}$  of east longitude. Its northern boundary, according to the map before us, is only a few degrees to the southward of the tropic of Capricorn. Between the eastern and western limits, which in a strait line comprise a distance of 500 miles, the extent of coast, including the coasts of Kangaroo Island and the shores of Lake Alexandrina, amounts to about 2,150 miles; and between the eastern extremity of Lake Alexandrina and Cape Wiles, the distance in a straight line being about 220 miles, the extent of land washed by the waters either of the ocean or of the lake, amounts to about 1,400 miles. "Here, then," say the Committee, "are ample means of transport, for exchange among the settlers themselves, and for conveying to Nepean Bay (at Kangaroo Island) and Port Lincoln (longitude  $136^{\circ}$ ) produce fit for exchange in distant markets; while those fine harbours will be most serviceable for the landing of emigrants, stock, and goods, and for the future management of trade with the neighbouring Colonies, and with distant countries. Considering the probable security of Coffin's Bay (on the main, about longitude  $135^{\circ}$ ); the long line of coast, west of that harbour, whereon Captain Flinders observed the indications of several rivers, and the facility of making a road (across the promontory) between Coffin's Bay and Port Lincoln, the latter harbour, which for extent, security, and facility of access, is surpassed by none in the world, seems formed by nature to become the central mart of South Australia."

As to the soil, climate, and general character of the country, the Committee, in their researches for correct information, have certainly spared no pains.

The principal harbour of South Australia, is Port Lincoln.—Very ample particulars of it are given from a variety of sources, but we must confine ourselves to the following selections:—

The account given of Port Lincoln by M. M. Bandin, Freycinet, and Peron, (who fell in with Flinders at Encounter Bay, only a few days after the latter had discovered Spencer's and St. Vincent's Gulfs,) are of a very encouraging character. After describing minutely the geographical position of the Port, the following account is given, as translated by Pinkerton:—

"This harbour consists of three basins, in each of which there is not less than ten to twelve fathoms (French) water, with a



bottom of muddy sand, and which, from their extent, would be capable of receiving the navies of all Europe. Boston Island is at the mouth of this admirable port, and it forms, with the continent, two passages, in each of which the largest ships of war might work with safety. The northern passage is the narrowest, and opens into Boston Bay; the southern is larger, and opens on one side into the western basin, and on the other into Spalding Cove. Between the island and the main land is the channel Degerando, which establishes a direct communication between the three basins, and which, at the same time, offers excellent moorings for the most numerous fleets. Two small islands, placed at the mouth of the southern basin, likewise afford good shelter. The same may be said of Grantham Island, with regard to the western basin. Shall I repeat here what I have already said as to the fertility of the soil? Shall I speak of the valleys, which would seem to denote corresponding springs, or brooks of fresh water? *Worthy to rival Port Jackson, Port Lincoln is, under every point of view, one of the finest harbours in the world:* and of all thus discovered by us, whether on the south, the west, or the north of New Holland, it appears, I repeat it, to be *the best adapted to receive an European Colony.*

Boston Bay is on the western shore of Port Lincoln; it is entered from the north by rounding Boston Island, and is so completely land-locked as to form an immense natural dock. The only account of it hitherto given to the public is that given by Captain Gould, who anchored between the island and the main land, and resided there in all three weeks.

He went about three miles inland, and found the country was open forest land, with the trees forty or fifty yards apart. They were large and well grown. Amongst them were the blue gum, cedar saplings, and one very large rose-wood tree. In digging for water, he found the soil to the depth of three feet to be of a moist, heavy nature; it was a black mould, and under it was a bed of yellow clay. He did not go deep enough for water, in consequence of one of the crew having found a spring which amply supplied his wants. This was just westward of Point Boston, below the high-water mark. He spent Christmas Day (1827) at Boston Bay. In the August following, he returned thither, and found water at the spring which had before supplied him. The water was hard, but very palatable. The anchorage was good, being in five fathoms, close in shore. *While at anchorage in Boston Bay, a typhoon arose which lasted*



*four hours—it blew from the southward and westward ; but the ship was not injured in the least. Typhoons are common about the time of the south and west monsoon ; they are peculiar to the southern seas.*

Captain Goold's experience of Australia has been very considerable ; he has been all round the island ; but with Swan River, King George's Sound, Port Jackson, and Hunter's River, he is more particularly acquainted. *Comparing Boston Bay with the places just named, he says that the land of none of them can be compared with Boston Bay, excepting Hunter's River. It is far superior to all the rest, and about equal to the last.*

Nothing which he is aware of can render the establishment of a Colony at Port Lincoln undesirable ;—on the contrary, Captain Goold declares, that the harbour, soil, climate, position for commerce, and vicinity to excellent fishing grounds, render the formation of a colony there, in his opinion, highly desirable.

Of Kangaroo Island, the largest within the limits, we have a circumstantial report under the hand of Captain, Sutherland, commander of the brig *Governor Macquarie*, of Sydney, in 1818. Fresh water, of first-rate quality, was procured by the same simple means as at Swan River. The principal inlet is Nepean Bay, the north-western extremity of which is Point Marsden. Near this Point, about twenty yards from the sea at high water, behind the bank washed up by the sea, " we dug," says Capt. Sutherland, " a hole about four feet deep ; it immediately filled with fresh water. We put a cask into it, which was always filled as fast as two hands could bale it out. The water was excellent, as clear as crystal, and I never tasted better. This hole supplied us whilst we were in Nepean Bay, and so plentifully, that we had no occasion to look farther for fresh water thereabouts."

The harbours and roadsteads of Kangaroo Island are capacious, easy of access, and perfectly secure. Twenty ships could moor within a hundred yards of the shore, and the same number anchor in safety farther off, the water being always smooth, sheltered by the land from the north-west, from the southward by Kangaroo Head, and from the north-east by Sutherland's Shoal, extending from the point below Point Marsden about six miles, always dry at half ebb for nearly the whole distance.

The soil of the island is said to be as good as any in Van Dieman's Land : " in the neighbourhood of Sydney, not any equal to it. Trees are scattered every where over the Plains—the



Swamp Oak, or Beef-wood, and the Wattle (both of which indicate good land), are growing in abundance here. Close on the shore, within from a quarter to half a mile from the sea, the wood is very thick; but when this belt of wood is passed, you come to an open country, covered with grass, where there are often hundreds of acres without a tree; I calculated, by comparison with New South Wales and Van Dieman's Land, there might be on this plain, on the average, three or four trees to an acre."

The *natural productions* are salt, which is very abundant and from the principal lagoon two or three hundred tons could, according to Captain Sutherland, be collected with a little attention; timber of various kinds, fit for every domestic as well as maritime purpose; lime-stone, found in several places; free-stone and granite in large quantities.

The *climate* is very temperate, the summers not so warm as at Sydney, nor the winters so cold as in Van Dieman's Land; the changes of temperature are not so sudden as at Sydney, nor do the rains fall so in torrents; the dews are heavy, but not injurious to health; the winds are regular land and sea breezes, with occasional calms; during the winter months, strong south-westerly winds prevail, but are not of long duration, and cannot throw any sea into the anchorages to injure the shipping, they being completely land locked.

The appropriateness of the *name* given by Captain Flinders to this fine island will be admitted when we mention, that during the stay there of Captain Sutherland, from the 8th of January to the 12th of August, he and his men killed no less than *fifteen hundred* kangaroos. These animals are said to be larger and fatter than on the main land; some of them weighing 120 lbs.

Captain Dillon took seven tons of salt from this Island, and would have taken forty tons more, had he not allowed it to remain on the bed of the lagoon after having collected it, where it was dissolved by a fall of rain. He also took five hundred seals on the island.

We trust these particulars, collected from a variety of respectable sources, will be acceptable to our readers, as furnishing means of estimating the probable success of the South Australian Colony. Whether viewed as a mercantile speculation, as a political experiment, or as a philanthropic enterprise, it is equally entitled to our admiration for the boldness of its spirit and the skillfulness of its plan.



ON THE VALUE OF IMPROVEMENT IN THE AGRICULTURE OF INDIA TO ITS INHABITANTS AND THE COUNTRY ITSELF.

In the article on this subject, in our last, we were constrained to hurry over various ideas which deserve a far more extended consideration. Among these were particularly the *quantity* of land *still lying waste* in this country. In that excellent article on British agriculture in the "*Edinburgh Review*," from which we quoted so largely, the means enumerated as chief in value in the astonishing alteration wrought in the last fifty years in Great Britain, includes *enclosures* of land. Respecting this, we had merely time to ask, what is the quantity of land gained by enclosures in Britain, compared with that actually lying waste at the present moment even in Bengal? We had not forgotten the declaration on that subject of one of the firmest and most judicious friends India ever knew, the late Dr. Carey, who, although he, at the age of *thirty-two*, forsook his native land for ever, with the determination to devote his whole life to giving the inhabitants of India the Holy Scriptures, in their own tongues, never forgot their temporal welfare. He, on the contrary, turned wholly to their profit, that knowledge of British agriculture which a residence in the country at home had enabled him to acquire, heightened as it was by a knowledge of botany, that placed him in the first rank of British naturalists in India: for adapting which knowledge to India, his spending the first six years of his residence in the country in the cultivation of indigo in the district of Dinagepore, afforded him abundant opportunity.

The passage to which we refer is, the description of the *waste lands* in India, given by Dr. Carey in that excellent Address on the subject which preceded and originated the formation of the present Agricultural Society in September 1820.\* It will be found in the first quarterly number of "*The Friend of India*" that made its appearance in Sept. that year; and which so attracted the attention of the late Charles Grant, Esq., the father of Lord Glenelg and the present Governor of Bombay, himself so eminently a friend of India, that within a year we were honoured with a letter from him on the subject, of no less than four sheets. The passage to which we allude in that address is the following:—

"But another object which it is exceedingly desirable to encourage, is, the bringing of waste lands into a state of culti-



*vation.* The quantity of land in India now lying uncultivated, is so large as almost to exceed belief: extensive tracts on the banks of the numerous rivers, are annually overflowed, and produce little except long and coarse grass, scarcely eaten by cattle when young and tender, and never attempted to be made into hay, or to be turned to any useful account, that very small part excepted which is employed in thatching the houses of the natives. During the rains these tracts are the haunt of wild buffaloes, which in the night come up from them and devour the crops of rice on the higher lands, and, in the cold season, wild hogs, tigers, and other noxious animals, unite with these buffaloes in occupying these pernicious wastes. The securing of these from inundation by embankments, or by other methods, is an object of prime importance, as it respects the security and healthfulness of the country; and the increase of good meadows, or valuable arable land, would add greatly to its prosperity. The same observations will apply to the vast tracts which are now wholly over-run with wood, and which being entirely neglected, and neither valuable as forest, pasture, or arable land, subtract from the salubrity of the country, and prove a nuisance to the surrounding districts by affording shelter to great numbers of noxious animals."

Dr. Carey then describes the neglect of agriculture throughout India, and the state of the country in consequence.

"In a country like India, where, even in those parts which have been longest under the British dominion, though ample security is given to the property of all, the oppressions of land owners and petty officers are with difficulty restrained, where the cultivators of the soil are considered as mean and beneath the notice of the higher parts of the community, where indolence so pervades all ranks as to reduce the whole to an inert mass, and where, in all the districts not subject to Britain, the whole population has been constantly exposed to such flagrant injustice and oppression, that no one could reasonably promise himself security for a single night; it is natural to suppose that agriculture should be in many parts entirely neglected, and, in others, partially followed, and that under great disadvantages. Thus, one of the finest countries in the world, comprizing almost every variety of climate and situation, diversified by hills and vallies, intersected in every part by streams, most of which, navigable six months in the year, and many of them through the whole year, afford every facility for carrying manure to the land, and every part of the produce to market, as far as it



respects its agricultural interests, is in the most abject and degraded state."

Wretched as Dr. Carey then considered the agriculture of India, he by no means despaired of a happy change being gradually introduced, if the attention of his countrymen could possibly be drawn to the subject. It was with this view that he published this address in September, 1820; in the hope of seeing an Agricultural Society formed in the metropolis of India,—and, in the same month, he formed the Society itself, in a manner that will be deemed sufficiently characteristic of him by all who knew him. He had long talked over the subject with the writer of this article, who, aware of its value to India, though no botanist, concurred most heartily with him in the plan. He also expected the concurrence of various friends in Calcutta with whom he had been accustomed to unite in things of a different and a superior nature; and with this expectation, arrived at the Town Hall in Calcutta, on the morning of the *fourteenth of September*, with the intention of forming the intended Agricultural Society. Of the friends on whose support he reckoned, however, no one felt free to join him in this object; all *had their doubts* respecting its propriety; and no one met him at the Town Hall but Mr. Wood, then Accountant-General. Dr. Carey, however, was not to be discouraged by this. With only Mr. Wood, the writer of this article, and another person present, who came in by accident, Dr. Carey read the plan which he had brought with him, cut and dry, and proceeded to form that Agricultural Society, (announced the next day in the public papers as formed) which is now become one of the most important Societies in India. The following are his views relative to the effect an Agricultural Society would be suited to produce.

"Such a Society would tend to enlarge the ideas of the peasantry, to dissipate their prejudices, to call forth their latent energies, to encourage their industry, and to promote their respectability and usefulness in Society. It will scarcely be affirmed that the peasantry of India are in a condition much below that in which the great body of English farmers were previously to the forming of Agricultural Societies there; and yet these farmers have, in many instances learned the art of raising upon the same land more than four times the produce they formerly raised, and to maintain themselves and their families in a much more reputable manner than they formerly did."



The effect of associating Natives of large property with Europeans, in this Society, he thus contemplates :—

“ By associating Native gentlemen of landed estates with Europeans who have studied this subject, and have made observations upon the practice of agriculture in different countries, we should gradually impart to them more correct ideas of the value of landed property, of the possibility of improving it, and of the best methods of accomplishing so desirable an end, and should at the same time convince them of the importance of studying the true interests of their tenantry, and introducing improvements on their estates. The draining of marshes, the cultivation of large tracts of country now not only useless, but the resort of savage beasts and the source of severe diseases—the improvement of stock—the creation of a larger quantity of the necessaries and conveniences of life, and of raw materials for manufactures—the gradual conquest of that indolence which, in Asiatics, is almost become a second nature, —and the introduction of habits of cleanliness, and a neat arrangement of domestic conveniences in the place of squalid wretchedness, neglect, and confusion, in a word, of industry and virtue in the room of idleness and vice, might all, by an association of this nature, in time become obviously important even to the natives themselves: these are some of the benefits upon which we may reasonably calculate as the consequences of an Agricultural Society in India; and every lover of mankind will undoubtedly acknowledge them to be such methods of doing good to his fellow-creatures as are worthy of his closest attention.”

Immense, however, as would be the advantages which would result from the due improvement of Indian agriculture, this can scarcely be expected from the natives alone; nor, indeed, is it more than the dictate of common feeling, and common justice, that we, to whom the Almighty Ruler of the world has consigned the vast empire of Aurungzeeb, the guardianship of so many millions, should assist those millions with our knowledge of agriculture, although we should derive no profit from this ourselves. But when every step taken therein must be clear gain to the revenue, while it increases the comfort and prosperity of the people, such gain too, as will be sought in vain from any other quarter, our supine carelessness on this head, may well subject us to the charge of sottish stupidity. But to secure European co-operation in the improvement of Indian agriculture, it is necessary that Europeans should individually possess



some *stake* in the country; in a word, that the land they might thus improve, should be *their own*, and the property of *their children* after them. This was forbidden by law when Dr. Carey published this address; and the following are the guarded terms in which allusion was made to this subject:—

“ But it is freely acknowledged that to that degree of attention being given to agriculture in India, which it has obtained in Britain, there are obstacles which do not exist at home. In our own country, as Sir John Sinclair properly observes, gentlemen of large landed property naturally take a deep interest in agriculture because it tends so immediately to the improvement of their estates. The value of the landed property possessed by the forty-six noblemen and gentlemen who composed the gratuitous Board of Agriculture, must have exceeded twenty millions sterling, when its rental annually could scarcely have fallen short of a million. But among those of our countrymen in India, upon whom must devolve the burden of care in this instance, *not one of them owns a single foot of that soil the improvement of which must be the object of their cares!* This is a singular fact in the history of nations, and on various accounts deserves the most serious consideration. It demonstrates at once the disinterestedness of that benevolent concern which so many of our countrymen take in the future welfare of India.— The grand stimulus to public spirit in other countries, is in India completely wanting. If a Roman could formerly say ‘ our country includes our parents, our children, our relatives, and all that are dear to us,’ this no Briton can say respecting India, the country whose welfare he makes the chief object of his concern. The great stimulus so often felt respecting plans which look forward to the future benefit of a country, is here entirely absent, the idea that, if we ourselves reap no advantage from our anxiety and labours, our posterity will fully enjoy the fruit of them after our decease. It is a fact that by far the greater part of those engaged even in legislating for India to remote ages, may with truth look forward and say, ‘ whatever be the effect of the measure now before us, we may be certain that in ten years’ time, if not sooner, we and our children shall be *for ever removed* from all the effects of its immediate operation.’ The natural tendency of this system may well form matter of deep reflection. While it exalts that benevolence which, in these circumstances, can care for India as for its natal soil, it may render measures and plans intended for her benefit rather palliative than thorough; rather suited to the present



moment, than such as applying a radical cure to evils, are necessarily slow in their operation and likely to effect little before those who have originated them have bid adieu to India for ever.

“ The system of excluding every British-born subject from any property or interest in the soil of the country, is so serious a bar to the future improvement of India, both in a natural and moral point of view, that it is worth the labour to examine it in its most important bearings. It doubtless originated in a laudable care to preserve our Indian fellow subjects from insult and violence, which it is feared could scarcely be done, if natives of Britain wholly unacquainted with the inland customs of the people, were permitted to settle indiscriminately in India. While the wisdom of this regulation at that time is not impugned, however, it may not be improper to enquire whether at the present time a permission to hold landed property, to be granted by Government to British subjects in India according to their own discretion, might not be of the highest benefit to the country, and in some degree advantageous to the Government itself.

“ The objections which have been urged against any measure of this nature, are, chiefly, that the indiscriminate admission of Europeans into the country might tend to alienate the minds of the inhabitants from Britain, or possibly lead to its disruption from Britain in a way similar to that of America. Respecting this latter circumstance, it is certain that in the common course of events, a greater evil could scarcely befall India. On the continuance of *her connection with Britain* is suspended her every hope relative to improvement, security, and happiness.— The moment India falls again under the dominion of any one or any number of native princes, all hope of mental improvement, or even of security for person or property, will at once vanish. Nothing could be then expected but scenes of rapine, plunder, bloodshed, and violence, till its inhabitants were sealed over to irremediable wretchedness, without the most distant ray of hope respecting the future. And were it severed from Britain in any other way, the change felt in India would be unspeakably great. At present, all the learning, the intelligence, the probity, the philanthropy, the weight of character existing in Britain, are brought to bear on India. There is scarcely an individual sustaining a party in the administration of affairs, who does not feel the weight of that tribunal formed by the suffrages of the wise and good in Britain, though he be



stationed in the remotest parts of India. Through the medium of a free press, the wisdom, probity, and philanthropy which pervade Britain, exercise an almost unbounded sway over every part of India, to the incalculable advantage of its inhabitants; constituting a triumph of virtue and wisdom unknown to the ancients, and which will increase in its effects in exact proportion to the increase in Britain of justice, generosity, and love to mankind. Let India, however, be severed from Britain, and the weight of these is felt no more. Though it should remain in the hands of Europeans, these, disjoined from Britain, where their names would probably be devoted to infamy, would, from that time forward, have little or no regard to public opinion there; and when once dead to a country they never expected to revisit, what would deter them from the most wanton exercise of power, and the indulgence of every appetite which might be the growth of Asiatic climes? These feelings and habits, which would grow stronger in every succeeding generation, would leave every thing to be feared from Europeans dead to Britain, and imbued with Asiatic ideas. Under Divine Providence, therefore, the happiness of India is wholly suspended on her connection with Britain being preserved inviolate."

This law, which then forbade Europeans holding land in India, is now happily repealed; and thus the door is opened for the improvement of its agriculture to even an unknown extent. Yet we do not find that the British-born subjects have begun to avail themselves of this permission; and the welfare of the country constrains us seriously to enquire why. We perceive persons of moderate property at home, emigrating to Canada, to the Cape, and to the various parts of Central Asia, without hesitation; yet not even the sum of ten thousand pounds has been as yet sent from Britain to be invested in Indian landed property. This omission is so important, if the improvement of Indian agriculture depend on European example and enterprize, of which, we apprehend, there can be little doubt, that it becomes us to inquire into the reasons for rejecting India when places still more distant are chosen. Among other reasons may be assigned, that to which we alluded at the close of our last article, namely, the *insecure hold which any man has on land in this country*. We again repeat it, that no one, either European or Native, will ever attempt, practically to improve the agriculture of India, as long as he apprehends that this, instead of tending to his own advantage, may hereafter prove to him a serious injury, by increasing the sum he may



have to pay to Government on account of such land. It is this which we deem a *suicidal* practice in the British Government at the present moment, destructive of the produce of India to the amount of unknown millions sterling, from year to year.—We presume it scarcely necessary to attempt proving to any one, that, if the sum any one pays to Government for the land he holds, may be *altered*, in other words, *increased*, whether at the end of *two* or of *ten* years, the sinews of exertion are completely cut, even if that land be held by Europeans, and how much more if held by natives of India, to whom indolence is become almost second nature! In proof of this, we have only to recur to the feelings so often expressed by English farmers relative to *tithes*; which are now urging the Government at home to a new modification of the tithe system. How often have farmers been heard to say,—Why should I lay out five hundred or a thousand pounds in improving this estate? It is true that my rent cannot be raised until my lease expire; but then the Parson gets a *tenth* of all the capital I lay out in improving this land, and why should I lay out a thousand pounds on it, part of which I must borrow, and thus put a clear hundred pounds extra into his pocket? This has not been the language simply of dissenters; it is equally common in the mouths of those who as regularly frequent their parish church at least once of a Sunday, as they take their market portion of good English ale on the Saturday. Now, if this be the feeling among the yeomanry of Britain, when merely a *tenth* part of the produce of their land is concerned, how much more must it be the feeling in India when it may lead to the sum they annually pay Government being doubled to the end of their lives. So much, then, for the *Ryotwaree* system, and for every system short of a perpetual and unalterable settlement.

We are now certain of having every one in arms against us, who repines at the perpetual settlement granted by Lord Cornwallis, and considers the gain of the revenue to consist in what can be squeezed out of the holder of land from one assessment to another. We would entreat such, however, to ask themselves, whether, when *ten-sixteenths* of the proper rent of the land, is professedly the basis of that settlement, Government can ever expect to have more than the *full rent* of every bigah of land cultivated in India.

But we beg them to recollect that high as improvement has advanced the rent of land at home, were Government there to accept the full rent of every acre now cultivated in Great Britain



and Ireland, in lieu of their present revenue, they would be perfectly ruined. What is the amount of the net rent paid for every acre of land cultivated in the Three Kingdoms? Does it amount to 30,000,000 sterling? We cannot speak with absolute certainty because the records are not at this moment by us; but we greatly doubt this. But what is the amount of the revenue? It has been *Fifty Millions*, and even now, with the expense of collection, it is not much less. The British Government, at the present moment then gets not *ten* but *twenty-four* sixteenths of the full rent of every acre cultivated throughout Great Britain and Ireland. How is this? Every man holds his land by a firm and irrevocable tenure, which Government itself dares not attempt to infringe; and feels that *all he can make it produce is his own*.—*Friend of India*, 21st July.

ON THE UTILITY OF A NATIONAL BANK IN INDIA.—DUM DUM—  
THE RECRUITING SYSTEM OF INDIA.\*

We have received a valuable work from the pen of Mr. Spry, which in our opinion delineates Modern India in true and striking colors. It is stated in the Author's preface, that without pretension to the historical antiquarian, or even descriptive, abilities of some that have written before him, he has collected many facts relative to our Oriental possessions, which, however homely their garb, are, nevertheless, new in all probability to the British reader, for whom the work is principally meant. On perusal of these volumes, we find the assertion we have just alluded to fully borne out. Mr. Spry has not certainly sought to ornament his labors with the glowing and finished elegance of style of Basil Hall, Mundy, Skinner, or Miss Roberts, but he has evinced all the patience of research we find in Heber, which after all claims for him more respect and equal popularity with that already meted to former writers on India. The best test of a book is its applicability to the capacity of a variety of readers. Such an ordeal "Modern India" will pass. There is a due admixture of light reading, with matter of a more reflective and useful character in the work. The manners and customs of the Natives, as also those of Anglo-Indian Society, are lucidly described; and India, politically, or with reference to her commerce, capabilities, climate and society, is treated of

\* "Modern India, with Illustrations of the Resources and Capabilities of Hindustan." By H. H. Spry, M. D. 2 vols. 12mo. Whittaker and Co.



with considerable care, and with evidence of a comprehensive judgment, highly creditable to the present writer.

The following opinions with reference to that all-important subject—the New Bank for India will be read with benefit, particularly as they seem to have been written down before the subject had been broached in England.

*“ On the Utility of a National Bank in India.—*The transactions connected with the Mint afford me an opportunity for the introduction of a few remarks upon the monetary system of our Anglo-Indian Government.

*“ Silver is the standard coin of the country, and is, of all the precious metals, the most cumbersome, perhaps, to manage. The money as it is received in payment of rents is locked up in the coffers of the numerous provincial treasuries, till a scarcity in one part, or a demand in another, calls for its removal. In consequence, parties of one and two companies, sometimes an entire wing of a regiment, are to be seen traversing the country at all seasons of the year, escorting treasure from place to place. Every sepoy on such occasions claims, and is allowed, an extra daily addition to his pay. The cost, therefore, which the conducting of this silver currency entails, is a heavy item in the accounts of the Government, and an incalculable clog in all commercial transactions with the interior.*

*“ The precious metals have been for years past gradually disappearing from Hindústan. and are now so scarce, that, with tangible property as security, the Native bankers insist upon 12 per cent. for their money, and double this sum, when they have to make advances without it. At the same time, every one acquainted with the present state of Upper and Lower Hindústan, knows that it is by the introduction of capital alone, the development of those vast natural resources can be effected, which it is the earnest desire of every real friend of India to promote. The important question then arises, how is this to be remedied? and the ready answer is, by the establishment of a bank, possessed of capital sufficient to place its stability beyond the reach of suspicion. With branches in all the great towns throughout the interior, to be conducted on sound and most approved banking principles. By means of a national firm of this description, an immediate addition would be made to the free disposable capital of the country, and the transaction of all kinds of commercial proceedings be promoted by affording facilities for making payments in the most remote parts. A bank having*



a stored metallic capital could, by retaining a fourth to meet the daily demand, lend the remaining three-fourths to the agriculturist, manufacturer, or merchant, to invest in the promotion of the resources of the country, and by issuing notes to an amount corresponding to that of the bullion so expended, throw at once into the circulating medium of the country a capital equal in amount to the millions of specie stocked by the bank ; or in other words, by withdrawing the metallic capital, and giving paper instead, as payment for goods purchased, make the coin itself available *for the production* of such goods. By those whose private interests may run counter to the promotion of such valuable institutions, objections may be urged ; but of the utility of banks, when conducted on sound principles, and possessed of adequate capital, in the performance of many of the more important functions of political economy, all will lend a ready assent. The experience of England, of Scotland, of the United States of America, and in fact, of all civilized communities, bears the most decisive testimony to the signal service rendered by banks, in their capacity of borrowers and lenders of money."

We conclude for the present with some interesting particulars on the recruiting System of India, and its consequences, prefaced by some interesting remarks on that great India Military station—Dum Dum.

" Shortly after my arrival in India my professional duties called me to Dum Dum, a military station about five miles from Calcutta. This place has been selected for the Head Quarters of the Artillery belonging to the Bengal Army, and there are seldom fewer than 4500 European soldiers attached to it, besides a proportionate number of women and children. I took advantage of the opportunities which a residence at this station afforded me, to make myself acquainted with many interesting circumstances connected with the habits and general conduct of the European soldiery ; and therefore venture upon the following observations with stronger feelings of confidence than a transitory visit would have permitted.

" Dum Dum possesses no advantages of site to warrant its selection for the Head Quarters of so large a body of troops as that which invariably compose its garrison. Policy of course requires that a force of this nature should always be within call of the metropolis, but at the same time so far removed from the emporium of trade as not to interfere with the peaceful pursuits



of commerce; but a more favorable site, and one equally near the seat of government, might have been found. There are numerous lakes and marshes in the neighbourhood of Dum Dum which in the season of the rains communicate one with the other, thus forming an uninterrupted sheet of water of many miles in extent. The highways are sometimes impassable, and in order to render them as dry as it is possible, deep ditches have been cut on either side, to enable the water to run off more readily. It is necessary to be extremely cautious in riding or driving over these thoroughfares at night, the water in the ditches being frequently even with the road, to which it bears so strong a similarity in appearance, that unless the utmost caution be taken, the horse and the rider may be precipitated into a mud bath of a very disagreeable nature.

“ The public buildings at Dum Dum are constructed of brick masonry, and no expense has been spared by the Government to render them comfortable.

“ The mode of recruiting in England for the Company's Army, upon the whole, is perhaps, as fair as any system of the kind can be made consistently with the necessary regard to the object in view—for without allurements of some kind, the eloquence of the serjeant would most assuredly be exerted in vain. No force is employed, and up to the moment of taking the bounty, the neophyte is permitted the free exercise of his own judgment. He must, however, in nine cases out of ten, be induced to enlist in consequence of flourishing statements respecting the riches and distinction which are said to await the adventurer who fights in the ranks of the Indian Army; and although the injurious effects of these illusions are not apparent at first, they develop themselves at a very early period. Every observer of human nature will allow, that no disappointment is more bitter than that which follows the downfall of expectations too rashly cherished. When a misfortune occurs which no human foresight could foresee or prevent, it is easily borne, because self-reproach is not added to the pain. Willing dupes to assurances to which at the time their own inclinations rendered them anxious to give credit, these men in their subsequent despair complain that they were taught to believe that they were going to a land overflowing with riches of the most ready attainment. Amid those who enlist into the India Company's service many are men of superior attainments; and some there are who even possess scientific information. These persons, either in consequence of mis-



conduct or adverse circumstances, have been compelled to relinquish the profession or calling for which they were originally intended, and are driven by their necessities to the ranks of the army. Nothing can be more painful than to listen to the bitter expressions with which these men lament over their misfortunes, and what they, with some appearance of justice, term their wrongs. With dispositions already soured by disappointment, they are unwilling to submit to established discipline, or those regulations which their new situation renders essential. No representations of the necessity of the measure will reconcile them to the restraint of the barracks: and with few exceptions, decayed gentlemen, and broken-down tradesmen, are found to be a troublesome, unmanageable set. In many instances they become malingerers. This leads to reprimand, and perhaps, eventually to punishment of a severer nature. A fatal consequence is frequently the result. Should the inclination not have shown itself before, these misguided persons have now recourse to drinking; and when a man in India once falls into this habit, he is lost; for a drunkard in this country can never be reclaimed. Punish him as much as you please, it will scarcely work a temporary reform; and in spite of intimidation, he will pertinaciously pursue his course. The effects of many days' intoxication under a burning sun are sometimes most appalling. A furious delirium (*delirium tremens*) unprecedented in extent in temperate climates, is here not unfrequently the result of drunkenness. One case of this kind has made an impression on my mind which never can be eradicated. The soldier had been admitted into the hospital while labouring under *delirium tremens*. Having absented himself from the barracks during several days, he had pawned his uniform to purchase liquor, and was discovered at length in a neighbouring village, lying on the ground perfectly insensible, and in a state of brutal intoxication. The sun was glaring on his body, which was only covered by a shirt. He was brought as a prisoner to the hospital, and though delirium had commenced, it was not then of a nature to require personal restraint; a strong and powerful dose of opium being considered necessary, was administered.

"In the course of the day four men had died in the hospital, and their bodies were deposited on tables in a detached building, waiting for interment. In the middle of the night I received a hasty summons from one of the serjeants, requesting my attendance--the patient of whom I have spoken having broken out of the ward, gone naked across the yard, and burst



open the dead-house door, which he had closed after him, barricading it on the inside with the tables on which the corpses of the deceased were lying. I hastened as fast as possible to the spot, and when I arrived, I found him apparently in close conflict with the dead bodies of his comrades, at the same time uttering the most dreadful imprecations that language can afford. Hearing us talking outside, he vowed certain death to any one who should dare to molest him. Knowing the herculean strength which men labouring under this disorder possess, I directed the whole of the hospital establishment to be collected, when it was determined to burst the door in simultaneously, and so overpower him before he could possibly do the party any injury. A rush was accordingly made, and in the door went, with the assailants tumbling pell-mell over the living and the dead. A light was immediately brought and the maniac secured. It required six men to carry him back to his bed, where he was effectually prevented from doing further mischief, by means of a straitjacket. Under four and five-grain doses of crude opium, repeated at short intervals, this man ultimately recovered.

“ In fitting out recruits for India, no expense is spared: the passage and outfit are computed to cost the Home Government 100*l.* for each man. On arrival, the soldiers destined for the Artillery regiment are always marched to Dum Dum; while those for the European Infantry regiments remain in Fort William, until a favourable season arrives for their transmission to the interior. Notwithstanding that the force at Dum Dum is supplied with so many hale and strong young men, the decrement of human life there is always great.

“ This loss of life I cannot but attribute, in part, to the system pursued towards these men, on their arrival; and a more prompt and efficient arrangement would, in all probability, bring down the ratio considerably. It should be borne in mind, that there are two systems of economy,—the economy of saving, which is mere retrenchment; and the economy of profitable expenditure, which is laying out a capital to produce an advantageous return. If we may judge from their acts, the former of these systems appears to be better understood by those who direct the helm of Government in India, than the latter; and, in the instance before us, we find, that, for the sake of saving a trifling expense in providing an efficient establishment for the purpose of affording these men an immediate supply of necessaries, many are consigned to an



early and premature grave. This error in judgment, we may hope only requires to be noticed to meet with immediate attention. I speak now of what fell under my own observation, and I am not aware that the system has been since changed. A ship is reported from Europe with recruits; notice is immediately forwarded to the Commandant at Dum Dum, a distance of five miles; a subaltern officer is ordered in with an escort to receive them. They commence their march from Fort William, generally about five o'clock in the afternoon, at which time the sun is still high, and very hot.

"The party of recruits arrive fatigued and hungry; but, as yet, no arrangements have been made for their accommodation. It is true, indents have been made out and furnished to the proper authorities, but the Commissary lives at Barrackpore, a distance of thirteen miles, and it being a cross-road, there is no post; the letters have, therefore, to go first to Calcutta to be conveyed to Barrackpore, and when the officer gets them, he has to adopt a similar channel of conveyance in the transmission of his reply. By this means I have known the greater part of three days consumed; and all this time the men are without their regular bedding and rations,

"Waging against the enmity of the air, necessity's sad pinch."

What is the consequence? Fruit, and trash of every kind, are substituted for wholesome food, and the lime-floor of the barracks becomes their resting-place. Thus exposed, they are seized with some severe distemper; and if the cholera be prevalent, they are oftentimes carried off ere they have learned the first rudiments of their drill. Surely, then, the dictates of humanity, setting aside all other considerations, call for an immediate alteration. An officer should be nominated to reside on the spot, with power to furnish from the Government stores the necessary supplies, instead of the management being delegated, as it now is, from one person to another. till at last it is frittered away, and lost in irresponsibility.

"Drilling recruits to a late hour in the morning is certainly pernicious; for the oblique rays of the morning and evening sun in the tropics, exert a most baneful influence on the European brain. It is the exciting cause of many fatal diseases. Unfortunately, this must happen to a certain extent, for the mornings and evenings are the only periods, during a large portion of the year, in which any exercise can be carried on. The practice, however, of keeping the men out till eight o'clock in the morning, is by no means necessary; and dismissal



at seven would be highly salutary. Unlike any other country, no in-door arrangements, compatible with the due observance of order and discipline, can be made in an Indian barrack for the amusement of the men. They are driven to all sorts of shifts to dispel the tedium of the long tropical days; and from the want of something to occupy their minds, they grow discontented, and fly to liquor.

“ Those who have passed much time with European soldiery, cannot but be struck with the hasty ravages which disease makes amongst them. Ten years, at most, suffices to render them the almost constant inmates of the hospital,—victims to those scourges of the country, hepatitis and dysentery. Should they survive to raise a progeny, their inferiority is stamped in their appearance; and three, or at most four removes are sufficient to destroy all the leading vestiges of their northern character. Need I point to the living witnesses of the truth of this assertion? Who, without being told, could suppose that the wretched creatures we see creeping about Calcutta were Portuguese, derived from athletic forefathers? Born invalids, these men cease to exist at the ordinary age of vigorous manhood; their intelligence is degraded with their organization,—it partakes neither of the lively energies of youth, nor of the sound judgment of mature age. Votaries, as their Moslem neighbours are, to a blind fatalism, they declare that they have voluntarily submitted to their fate; and to reason with them is only to call down their severe and deep disapprobation. Can we be surprised, then, at European parents showing such solicitude to have their offspring conveyed to Europe, to avoid the withering influence of such a climate?\*

“ The liberal footing on which the military hospitals throughout Hindústan are placed, reflects great credit on the Government. No expense has been spared to render them as commodious and airy as ingenuity could devise; and the medical officers have always at command an efficient establishment of

\* It has often occurred to me, that the establishment of a respectable seminary in the Himalayas, either at Simla, or Mussoorie, would be attended with the happiest results. Parents would then have their children comparatively under their own eye; at any rate, they would always be within reach. The ruinous expense they now incur in sending them home would be avoided; and the climate at either of these mountain stations is equal, if not superior, to any part of England. The only possible objection that could be made to the encouragement of such schemes, is strictly a political one, which the early history of more than one independent state will serve to illustrate.



subordinates, as well as an abundance of stores. The Dum Dum European hospital is a spacious building of one story, surrounded by an inclosed verandah, having glass doors and Venetian blinds. It is divided into four wards; and, allowing three feet and a half for each bedstead, with an intermediate space of three feet, will accommodate 50 persons in each ward. In times of inordinate sickness, the verandah-rooms are also used. The average number of sick in hospital, is from 90 to 100, the force being computed to average 1500. Until the year 1829, the soldiers' wives, when sick, were taken into small corner rooms in the large hospital, but now a separate building has been erected for their accommodation. Each of these buildings is surrounded by a high wall, forming a neat and spacious inclosure, within which the necessary out-offices are built—consisting of the different residences for the apothecaries, stewards, apprentices, hospital-serjeants, kitchens, store-rooms, &c. Lest it may be deemed derogatory to class apothecaries with hospital-serjeants, I beg to observe, that apothecaries attached to the public service are strictly what the word implies—compounders of medicine. They hold warrants instead of commissions; and their duty is to accompany the surgeons in their visits to the hospital; to superintend the compounding, and subsequent administration of the medicines; and perform all the minor operations, such as bleeding, dressing wounds, &c.

“To each of the hospital-inclosures there is one gateway, at which two sentries are posted; and at night it is sometimes found necessary to plant sentinels at different parts of the inclosure, both inside and out, to prevent the patients from stealing out and receiving pernicious articles, such as tobacco and spirits from their friends, who oftentimes, under cover of the night, come to some remote corner, and throw their bundle of ‘little comforts’ over the wall to their comrades, who are in attendance on the inside to receive them.”

## RECOLLECTIONS OF THE DECCAN.

### JUMKUNDHEE.

The best cultivated, best governed districts, I have seen in India, are those which form the personal jaghires of the great Brahmun families of Putwurbuns in the Deccan and south Mahratta country. Their estates lie principally on both banks of the Kistnah river, and are cultivated from the verge of the hills on either side to the edge of the stream. In traversing



that plain, at harvest time, you ride through a very wall of grain, far out-topping your head when mounted, and the whole land teems with wealth and plenty. Their chief residences are as follows:—Chintamun Rao at Sanglee, Madhoo Rao at Meeritch, Gunont Rao at Tasgaum, Govind Rao at Chinchnee, and Gopal Rao at Jumkundhee. I visited the jaghires of all these noblemen, except that of Tasgaum, and was ever most courteously treated. At Jumkundhee, through which I passed with my regiment, when on route to the attack on Kittoor in 1824, an incident occurred which I shall presently narrate, as illustrative of the estimation in which the British character was held throughout that province. Jumkundhee is a very pretty town and fortress, about six miles south of the Kistnah—35 miles from Beejapore south west—100 miles from Sittarah south, and 85 miles from Belgaum, the Head Quarters of the southern Mahratta division north-east. The fortress is beautifully built, and in the finest repair, and surrounded by a wide and deep ditch, but it could not stand a siege, as it is commanded by a small hill to the south within gun-shot range. The bazaar is handsome and well supplied; water abundant; and the place is celebrated for its gardens and its grapes.

The contrast between the Company's territories, and the adjoining Native principalities in this part of India, is most striking. Should you see a lean beggarly hamlet with ruined walls and dilapidated buildings, and with few inhabitants perhaps, beyond "a couple of old women and a dog," be sure it is a Company's village. Should you note one surrounded by verdant trees and extended cultivation, with walls in order, good wells, good shops, good houses, a flourishing trade and happy population, it is surely some *jaghire* or *enam* estate. A Company's village may be recognised three miles off by its dilapidated appearance, its wretched aspect. Why this marked difference? The answer is very simple. In the first place, *jaghire* tenures have usually been selected as such on account of their natural or artificial fertility. In the one, moreover, the surplus revenue is usually expended on the spot, for the immediate improvement of the place itself; in the other, the surplus goes to swell the receipts of distant treasury. It would seem as though the presidency fattened on the marrow of the provinces.

In this part of India are many of those singular beings, with snowy hair, red eyes, and leprous white skin, known by the name of Altinis. They are seldom visible, for their eyes cannot bear the glare of the sun, and they are, moreover, supposed



to be peculiarly susceptible of the evil eye. In the early morning, in riding through a Mahratta village, I have occasionally seen an Albini child; but, in every instance, the mother, on seeing me, snatched it up in her arms and hurried it into the house. I never remarked anything peculiar about the parents of such children; they seemed as black and as healthy as their neighbours; and it seldom happens that more than one Albini child is found in a family. It has been oftentimes supposed, that Albinis do not propagate their race. There is, however, a living instance to the contrary in a village on the Kistnah, not far from Jumkundhee, where reside an entire family,—father, mother, and four children—all Albinis.

But to my anecdote. We had been some weeks from cantonment and found ourselves short of coin. Our commandant had partially relieved our wants by negotiating, in the largest town we passed, a bill on Bombay for some thousands of his own money, which he liberally advanced us. Still this did not suffice we were yet far from our resources, and could receive no pay until we reached Kittoor—120 miles distant. It so happened that our route lay through Jumkundhee. Gopal Row was absent, but our Colonel wrote in Persian to the Ranee in the fort, setting forth the difficulties of our position, requesting she would have the kindness to advance us Rs. 10,000 on his receipt, and promised that the same should be duly remitted to her on our reaching camp. The Ranee received the letter. The application was from an individual of course utterly unknown to her even by name; but he was a British officer at the head of his regiment—and such was her confidence in the British character, that she did not hesitate a moment, but within two hours despatched four horsemen to our camp with the amount in gold pagodas, tied up in their waistband, simply taking a receipt for the same. I much doubt if she would thus have trusted one of her own house; no not even her brother, her father, or child. But she knew the honor of a British officer was unstained; she felt that the money was as secure with him as in her own treasury, and she sent it at once to an unknown stranger. It was a remarkable instance of trust in British honor; a gratifying tribute to the British name, and made a deep impression on me. It is an incident I shall never forget. It was with pleasure I afterwards heard that the Ranee's conduct on the occasion had been reported to the Government of Bombay, and had received a suitable acknowledgment at the hands of Mr. Elphinstone. Truly is it *that* confidence in our honor, *that* trust in British



faith, which is the real foundation of our power in India. Therein consists our empire of opinion.

**THE SOUTHERN MAHRATTA COUNTRY—MIL. CANTONMENTS.**  
 —The southern division of the Bombay army comprises the entire Dooab or Southern Mahratta country, enclosed between the two great rivers the Kistnah and Tamboodra. To the south-west, south, and south-east respectively, it abuts on the territories of Goa, Madras and Mysore—to the north, and north-east on those of Sittarah and the Nizam. Its inhabitants are principally Hindoos, either Mahratta or Canarese, with here and there a few Mussulmans. The district is usually marked red in our maps, but although it is to a certain extent subject to our political control, a very large portion of its revenue is the property of certain independent Rajahs, Jaghiredars, Enamdars, hereditary Potails, &c., many of whom are members of the Savagee, Bhonslah, Scindiah, and Holkar families. Of these chieftains the most powerful and wealthy are the Rajah of Kolapore, Appah Dessaye of Nepauni, formerly Captain General of the Peishwa's forces, and Chintomen Row, Putwardhum of Sanglee. The last of these possesses, in addition to other valuable estates, the important commercial entrepot of Shahpoor, two miles from Belgaum, celebrated for its trade in silk and cloth, for its great transactions in Hoondees, and also for its mint, where are coined the greater portion of rupees current in the province. It has long been an object of the British Government to induce Chintomen Row to exchange Shahpoor for some other district, and to surrender his mint; but the old Brahmun well knows the value of his privilege, and has resolutely refused all overtures on the subject.

The district is about a hundred and fifty miles in length, and perhaps the same extreme breadth. It has been recently divided into two civil collectorates: the *Sudder* station of one being at Dharwar, the other at Belgaum. The military force of the province consists of five regiments of Infantry, together with a small detachment of Artillery, and is quartered as follows:—one of his Majesty's regiment, one corps of Native Infantry, the Artillery, and Head Quarter Staff at Belgaum; one corps of Native Infantry at Dharwar, 50 miles south-east; another at Kaludghee, 80 miles north-east by east; and a third at Kolapore; 80 miles north of Belgaum respectively. The following brief sketch of these several stations is given from memory, but I must here state that I have not been in the Southern Mahratta province since 1828. It was at that period occupied by Madras



troops, but was transferred to Bombay in the following year. I shall commence with the Head Quarter station:—

**BELGAUM.**—This is a considerable fortress, situate in latitude  $15^{\circ} 52'$ , longitude  $74^{\circ} 42'$ , on the high land above the Ghauts, and about 65 miles north-east from Goa. The climate is one of the pleasantest in India, except during the monsoon, when there is, perhaps too much rain: in the hot weather, the sea-breeze blows daily in the afternoon; and the winter is very cold. It is healthy, but occasionally visited with fever. The fort stands on rather high ground, but to the east there is an extensive morass, beyond which, a few miles distant, is a low range of hills more or less covered with jungle, and full of game, from the spur-fowl to the royal tiger. This range of hills extends also some miles to the north, and then stretching away west unites with the Ghauts, the great chain of which bounds the western horizon 30 miles distant. To the south, the country is chiefly an open plain, in the centre of which rises a superb conical hill to the height of near 1000 feet, whose summit is crowned with massy battlements. It is the hill fortress of —.

Belgaum was taken from the Peishwa in 1818, by the British troops under Sir Thomas Munro. The garrison consisted of 1600 men, with 36 guns mounted on the works, and abundance of arms and stores of all descriptions, but they surrendered on the 10th April, after 20 days open trenches. Their loss amounted to 20 killed and 50 wounded. The besieging party were but seven troops of cavalry, eleven companies of regular and irregular infantry, and four companies of pioneers, with 80 heavy guns. Their casualties were 11 killed and 12 wounded.

The immediate cause of surrender was odd enough. The old killadar having never seen operations by sap and not comprehending its objects, enquired of a Native officer who had been taken prisoner, "what was the meaning of that moving wall?" The reply was, that the British troops were digging a mine—"you saw them some days since a long way off," added the prisoner, "they are now gradually approaching the crest of the glacis, and, in three days more, you will see them rising up in the centre of the fort under your feet, and blowing you all to the devil!" The credulous old warrior credited the tale, and surrendered at discretion. This resolution was most fortunate, for had he held out, the capture of the place could not have been effected without a heavy loss of life.

The fortress is an irregular oval, almost a mile and a half in circumference, surrounded by a substantial granite wall, in



height varying from 35 to 60 feet, with round towers at irregular distances; a deep, wide, and partly wet ditch; a good glacis and clear esplanade of 600 yards. In its interior are two or three lofty cavaliers, on which are mounted enormous Mahratta guns, made of iron bars curiously welded together and secured by iron rings. The gateways are three in number, handsome and strongly defended.

To the west, and distant about half a mile, is a large but open Pettah; on the high ground above which, two miles from the fort, are the present cantonments. These have but little to recommend them, save that their position is dry and elevated. The soil is rocky; there is but little vegetation, there are no trees, and the bungalows and barracks are somewhat indifferent. The civilians and staff reside in the fort, whose interior is exceedingly pretty, consisting chiefly of gardens well laid out, in which are built many comfortable and some handsome houses. Water is plentiful, and the soil productive. Strawberries, raspberries, apples, plums, peaches, guavas, nectarines, loquats, pomegranates, grapes, and all European vegetables thrive in perfection, and there are roses, geraniums, and other beautiful plants in abundance. There are also many very fine old trees, chiefly of the mango, peepul, banyan, tamarind, cotton, (*bombax pentandrum*) and coral (*bombax heptaphyllum*) species. Of all the productions of vegetable nature, few can surpass in beauty the cotton and coral trees, especially the latter, which are frequently of great size. In the month of February, when all its leaves are shed, this tree becomes on a sudden covered with blossoms, while thousands of small birds are seen hovering over it, sitting from flower to flower, seemingly intoxicated, and keeping up an incessant clamour. It then presents a perfect blaze of the most brilliant scarlet. But even this must yield the palm of beauty to the glorious green which bursts forth at the first fall of rain in May. I know no plant that can boast such superb foliage. Unluckily, it does not long retain its freshness, and in two or three months, nothing is to be seen but stiff and naked branches.

Four roads meet at right angles in the centre of the fort, and a circular road runs round the whole interior just below the ramparts. These are every where railed and fenced in, and kept in the neatest order. Besides the private dwellings within the fort, are a magazine, the arsenal, a handsome roomy main-guard and court-martial room, some solitary cells for prisoners, a church and barracks, and hospital for a company of Artillery



There is also a mosque of some size and antiquity, but of no particular beauty ; and two or three curious Hindoo temples, I think of Budh origin, built ages since. They are constructed of the finest black granite, with numerous columns curiously wrought, whose surface is as smooth, and the edge of whose ornaments is as fine, as when originally sculptured. One is a very remarkable building, but, when I saw it, was much dilapidated, and very dirty. It has, I hear, been recently set in order at the instance of the Governor of Bombay. It would seem, that a few years since, some officer of the garrison, little appreciating the beauty of this edifice as a work of art, and still less its value, in the Native eye, as a venerable religious building, conceived the ingenious notion of converting it into a sheep-pen and pig-stye, and actually thus appropriated it. On Lord Clare's visit to Belgaum, this profanation was brought to his Excellency's notice by certain Hindoo petitioners. His Lordship was not a little scandalized at such Vandalism, and issued a severe reprimand to the General commanding; for having sanctioned any such proceedings. The animals were forthwith hustled out, and the place purified and set in order, Lord Clare departed. It happened, however, the Baron Hugel, who had staid behind his Lordship, was tempted to pay the place another visit, in order to complete his drawings of the same, when, to his horror, he was again assailed by the bleating of sheep and the squeak of the piglings ! It appeared that the officer above alluded to, unwilling to lose his penfold and piggery, and thinking that nothing more would be said or known about the matter, had, on Lord Clare's departure, coolly re-transferred his animals to their accustomed quarters. His Lordship heard of the proceeding, and as the reader may suppose, was irate enough at such impropriety ! Indeed, it was with some difficulty that he could be dissuaded from bringing the offending party to a Court-Martial.

The roads are excellent, not only in the Fort, Pettah, and Cantonment, but as far as Dharwar, 50 miles in one direction, and to Vingorla on the sea coast, 72 miles distant in another. Both these fine roads have been constructed at great labour and expense. The former was made by prisoners, aided by two companies of Pioneers, and is conveyed for many miles across a noisome swamp. That to Vingorla, was also made by the Madras Pioneers, and crosses the great Ram Ghaut immediately above Goa. It was formed in order that military stores might be conveniently transported from the coast into the interior.



A buggy may be driven the entire distance from [Dharwar to Vingorla, 120 miles.

Having mentioned Vingorla, I must devote a few lines to describe this sea-port, which, like its neighbouring port, Malwan, formerly belonged to the Kolapoor state, and was formidable on account of its pirates, whose atrocities were only finally suppressed in 1812. It is now a dirty, wretched place, a mere collection of huts and hovels, scattered under groves of cocoa trees, which here fringe the coast for miles. It is situated in lat. 18d. 54m., long. 73d. 22m., at the end of a small bay, open to the south-west, but protected from the north and north-west by a bluff headland. The landing-place has, I believe, been recently improved by the erection of a proper pier or bund; but in 1827, it was indifferent enough. A moderately rough bar was to be passed at the head of the bay, after which, a small stream was to be ascended for some hundred yards ere you could land. The boats in common use are Cingalese canoes with outriggers, neither roomy nor dry, but, at the same time, buoyant enough and safe. Many years before Vingorla was finally ceded, the British Government had permission to erect a Factory, which, with its cannon, battlements, and moat, still remain, about a mile from the shore, embosomed in trees. The buildings are somewhat dilapidated. Vingorla was finally ceded to the British in 1812. In 1827, when I visited the place, it was a military cantonment, the Head Quarters of an Infantry regiment, but there are now no troops, beyond a small detachment for the protection of such military stores as arrive from time to time. As a residence, it is about as unenviable a station as I ever saw. It possesses, as far as I could discover, no redeeming advantage; and every thing looks fish, smells fish, tastes fish.

At a short distance from land are a cluster of very remarkable islands, called the Vingorla Rocks. These are of granite, very numerous, of all sizes, many of them rising from fifty to one hundred feet above the sea, and having a perfectly smooth surface. They extend over a considerable space. There is deep water all round, and a large vessel may sail through them in safety, winding its way in passages, where the mainyard almost touches the rock on either hand. When a fresh breeze blows, it is a fine sight to see the huge billows rolling in, with all the force of the Indian ocean, and dashing against the smooth, abrupt surface of these rocks, in thunder and in foam.

Although Vingoria itself presents nothing remarkable, and



possesses nothing to recommend it, there is a small Ghaut about a mile distant, at the back of the town, from whose summit may be enjoyed a very fine view, of woodland and water. In front, to the eastward, stretches a deep undulating valley to a considerable distance, rich in rice fields and intersected with lofty trees, between which, here and there, appears a spreading sheet of water, while the higher grounds are covered thickly with the beautiful wild shrubs, peculiar to the situation and the climate.

The view on this side is bounded by the range of Ghauts which extend, like a giant wall, from north to south, about thirty miles distant. In height, these hills vary from 2,500 to 3,500 feet, in some parts perfectly precipitous and bare, in most places clothed with luxuriant jungle, while, here and there, some lofty pinnacle is crowned with battlements and towers, the residence of a mountain Chief.

Turn towards the west, the Cantonment lies before you, and beyond, the Native town of Vingorla, with its curious Temple half hid amid surrounding palm trees, which here border the coast as far as the eye can reach. Immediately below, to the left, runs a small shining river, which, winding amid verdant groves, and generating fertility where'er it flows, empties itself into the bay. Gaze on,—the eye rests on the expanse of ocean and the numerous vessels with which its face is covered. It is, indeed, a most varied and pleasing prospect.

From Vingorla to Belgaum, *via* the Remghaut, the greater portion of the route is of exceeding beauty—an ever-varying scene of forest, river, plain, and mountain. Here, a dense impenetrable bamboo jungle, which, viewed from the heights above, looks like some fertile meadow; there, are open plots of luxuriant cultivation, interspersed with clumps of trees, round which meander the several mountain torrents, sparkling in the sunbeams—here fringed by dark green bushes, there, bordered by the Oleander,\* in its blushing bloom. Anon, a castle tops some beetling crag. Below, expands a field of ripening maize—beyond, some grassy plain, with brushwood, in immense variety of shrub and flower,\* of every colour and species—where the pride of the forest glade, the sombre ♂ red deer, scamper in

\* A river thus fringed, meandering through a plain, has not unaptly been compared by an Arab, to a gigantic "wounded serpent, winding its painful course towards the shelter of the mountain, the clusters of red flowers representing the blood issuing from numberless spear wounds."



herds—and where is sometimes marked the tiger's foot-print, or the cheetah's spring. For some months, during the rainy season, these shrubs, whose foliage is blended in every variety of light and shade—with their blossoms, blue, white, yellow, crimson, or carnation—and the lilies, which sprout in wild luxuriance from every cleft whence issues a stream, are indeed beautiful;—but, even their loveliness is eclipsed by the splendour of gigantic creepers, which hang from the large trees in wild festoons, or entirely envelope those of smaller growth. Except America, it is doubtful if the world could produce parastic plants in greater variety and beauty than those of the western Ghauts. They are of all colours, all sizes, and all bright; “but one I must except from out the throng.” It is a plant of great size and strength,—the leaf wide and of a bright green,—the flower broad and white,—the fruit large and globular. As it ripens, this fruit changes from green to dark blue, then purple, then gradually reddens, until the last ripening tinge sweeps away all other hues, and it becomes the colour (only somewhat brighter) of the finest Seville orange. As the festoons hang gracefully from bough to bough, and tree to tree, you note alike the flower and the fruit, in all its varieties of hue and size, and all so beautiful. Surely the fable of the golden apples must have been taken from the fruit of this most gorgeous creeper. But I am digressing widely; I sat down to describe the military cantonments of this Province, and my pen wanders to ghauts, rivers, and scenery. Enough for the present. My next shall contain the remaining cantonments of the division Kaludghce, Dharwar, and Kolapoor.

FITZ STANHOPE.

Calcutta, June 24, 1836.

[*E. I. U. S. Journal for August.*

### PERSECUTION OF COLONEL KENNEDY BY THE INDIAN GOVERNMENT.

Our last files of Indian newspapers are much occupied with the case of Colonel Vans Kehnedy, who, it appears, has been removed from his situation as Judge Advocate General of the Bombay Army, overlooked, as to his nomination *by right*, to the command of a brigade, and tried by a Court-Martial for disobedience to orders. All this has been done by the authorities in India, on their own responsibility. We shall not pretend to examine how near to the established regulations the



Commander-in-chief in India has acted in the above procedure, nor how distant he may be from their true meaning in the line of conduct he has pursued. His policy may appear to us crooked, but not being military lawyers, we are not sure but it may be perfectly straightforward and correct. So frequently does law and equity differ as to its results. At all events, we may be allowed to form an opinion from certain ably written and argumentative letters which the case of Colonel Kennedy has occasioned from a local writer of considerable abilities. And our opinion being fully favorable to the writer's views, we shall proceed to adduce the latter through the agency of our columns, first prefacing them with a few introductory words, explanative of the real situation in which Colonel Kennedy stands with reference to his persecutors, or prosecutors. It appears, then, that the Colonel having caught that unfortunate disease the *cacoethes scribendi*, so ravaging in its effects with Anglo-Indian Society, has thought proper to fulminate opinions on Military matters, at variance (and injudiciously so, in some instances, we will allow,) with the established rules and regulations of the service.\* Thus, for the mere sake of a little literary reputation, for the mere sake of being deemed a sharp officer and a brave handler of the quill-sword, in a "war of words," has the Colonel forfeited an excellent and lucrative situation, and some little reputation, too, in the Indian Army! What a pity he could not better distinguish the substance from the shadow. Having thus thrown himself out of his situation involuntarily, (not being sufficiently cognizant of the sharp-shooting propensities of his superiors in the Army,) Col. Kennedy naturally follows up his literary bent by "speaking daggers" although "using none," against the causes of his misfortunes. The various epistles he writes through the local press are soon productive of still worse consequences to the Colonel, for they occasion him to be put under arrest for Court Martial proceedings; nevertheless, the gallant Colonel is still undaunted, and writes volumes in favour of himself, and in contempt of law and every thing else opposed to his ideas *militant*. Although correct in some observations on the venality of the code of military Judicature in India, he is unfortunately wrong in others; and this brings us to the letters of "*Fiat Justitia*," the able writer we have above adverted to. We shall leave it

\* We observe that the Government also charges Col. Kennedy with being an inefficient officer—awkward in certain military duties, &c. But we shall leave this subject to "*Fiat Justitia*'s" examination.



to him to shew wherein the Colonel is right and wrong on military discipline.

We must still premise one remark however. In England, we have never observed the military authorities so strict as to pounce upon any officer, in consequence of his opinions alone, no matter how opposed they may be to the established regulations of the service. A British officer or soldier must, in England, positively *commit*, besides simply insinuating faults, ere he is liable to punishment. Not so in India, it seems; for, it is evident, that officers *dare* not openly question the General Orders and the judgments of the military authorities. This fear of public opinion, shows the rottenness of a system, more palpably than the inanity of Sir J. Keane, or the hypocrisy of Macaulay himself.

But we will no longer delay the reader from "*Fiat Justitia.*" This writer observes on Colonel Kennedy's case:—

"As it was determined to remove Colonel Kennedy from his appointment, both the Government and the Commander-in-chief, should have abstained from any line of conduct that could have appeared like persecution. But this they did not do, and the consequence was, that he was refused an ordinary leave of absence, refused the command to which his rank entitled him, and worried by petty measures which, when a Government is undignified enough to desire them, will never fail of adaptation, or application, for want of instruments in subordinate departments. Instead of rising mentally superior to such a system, Colonel Kennedy sank beneath it, or, rather, fell speedily into the TEMPER-TRAP which was sedulously laid to catch him. He was, no doubt, unjustly superseded in the command of a brigade, for it seems, from his own undenied statement, that he was so dealt with *before* he admitted the deficiency of knowledge in mere parade duty, which was subsequently laid hold of to justify his exclusion. Can any official person at Bombay have the assurance to declare his belief that, had any private considerations induced Colonel Kennedy to resign his situation, and he in full personal favor with all his colleagues and their common superior, there would have been so much as a dream of passing him over as he has been passed; notwithstanding his awkwardness at manœuvring a corps? Will any one, on our side, allege, that if Colonel Casement (who has been, I suppose, as long absent from regimental duty as Colonel Kennedy was,) chose to resign his situation, there would be any hesita-



tion whatever in appointing him, if by standing entitled to it, to a divisional command, even if it were *known*, as it might fairly be assumed, that he could not instantly drill a battalion, in full accordance with the existing rules? He very likely could master it in a month, because he is handed down traditionally as a good regimental officer, and that is an acquirement, which, like the art of swimming, never leaves a man so entirely, but what, a very little practice, restores it to him in full; but still, I ask, would he be sent to command a regiment, even for a month, in order to *test* his fitness for instructing a whole division in their multifarious duties? Pish!—and do not officers after many years' absence from the army, in the course of which period a new system of strategy has been introduced, return from England, and get at once appointed to commands, in virtue, as the Court of Directors intend, of their seniority solely?—Are we, then, to mock our own sense, by affecting to believe, that the measure of exclusion applied to Col. Kennedy, had its origin, truly and purely, in a regard for the welfare of the public service?—As sure as Sir R. Grant is Governor of Bombay, the Hon. Court will reverse that measure, and it is only to be regretted that the Supreme Government proved deficient in the justice and firmness which would *at once* have put a stop to it, though they might have ever so much approved of the removal from the staff. Well, Colonel Kennedy takes command of his corps, and from that moment, as no doubt was pleasingly, but not magnanimously anticipated, he lost himself as an officer and a military lawyer, in almost every thing that he did. I would not do him the intellectual discredit of supposing that he did not *know* better than he *acted* throughout his dispute with Brigadier Kinnersley, and also throughout the trial that ensued;\* but he had been used so meanly by the Government, and had unfortunately allowed that meanness so to irritate him, instead of exciting a more appropriate sentiment, that it would not be fair towards him, as a military juriconsult, to rate his acquirements by the doctrines maintained by him in zealously defending himself from so many powerful assailants. Not that I would tolerate in any man, (And the abler he was, the less would I tolerate,) a meditated distortion of the law to serve his personal

\* To question the *right* of Brigadier Kinnersley to order, as he did, the attendance of Colonel Kennedy at the regimental parades, is the merest puerility: and for Colonel Kennedy to have taken up, and persisted in, the notion that such order was equivalent to telling him to attend parades under his own Adjutant, is not so much obstinacy, or ignorance, as "discipline run mad!"



purposes; but I so little attribute that fault to Col. Kennedy, that I am quite persuaded he will never alter his book, for a new edition, so as to square its present corrector precepts with the *diota of ebullition* which are now before me. Assuredly, although Sir John Keane was as wrong as man could be, in trying to justify Colonel Kennedy's removal from his appointment, by the *subsequent* errors of that officer's law; yet, as assuredly, Colonel Kennedy could never hope for re-placement in that important situation; unless he abjured the heresies, in military law and military discipline, which his trial has promulged; nor can I see how, *now*, he could expect to be entrusted with any thing approaching to an independent command, while he *professed* to retain opinions so subversive of all disciplinary order,—however indefensible his supercession might have been *before* it was known that he was so ill-informed, or so necessant on the subject. He has maintained with firmness, but not with ability (for the bad parts of a cause cannot be *ably* defended, let people say what they will about making the worse appear the better reason) yet, strange to say, he has maintained before a court-martial, *with success!* that, for a junior to declare his intention of declining to obey the orders of his superior officer, is not a disobedience of orders, within the Act and Articles, and the customs of war, which are fully recognised by both those codes. In arguing that the Brigadier's command to him was not a lawful one, because the question was before their mutual superior, (not, however, that the question *was* before him, in so full a shape, but no matter for that,) he has mistaken the fundamental principles on which to ascertain the lawfulness of a military command. It is not, as he seems to think, for the junior to question the senior's right to give the order, but it is, that, if there be nothing unlawful in the service required to be done, then the command to do it is lawful, as far as the junior is concerned in the legality. The person giving the order has no further responsibility in that direction. He is responsible to *his* superior, if he should have *trampled* upon *his* authority in any thing that he did, but the junior has nothing to do but to *obey at once*, and refer afterwards, if he have any doubts on the subject. Supposing Brigadier Kinnersley had heard of the gathering of an enemy in his neighbourhood, and had addressed General Sleight to know how he should act in the circumstances: suppose that before the General's instructions could arrive, the enemy made a movement which determined the Brigadier to take instant steps, and that he directed Colonel Kennedy to



march out his regiment the next morning, to some indicated post; lastly, suppose the Colonel wrote to him to decline incurring the expense and inconvenience of a move, until the orders of the General should be received:—would it be for Brigadier Kinnersley to *wait till the morning* to see whether or not Colonel Kennedy would adhere to his resolution; or to place him at once in arrest, and transfer the order of march to another officer? To have an intention of disobedience confined to your own breast, is, of course, not disobedience; but the instant that intention is disclosed, it becomes disobedience within the statute, whether the appointed time for doing the duty commanded shall have arrived or not. Next, Colonel Kennedy's construction of the nature of a Military Hospital was one which his knowledge of the customs of war should have told him was erroneous; and his strange conception that his *refusing* to attend parade, would not conduce to injure the discipline of the corps, merely because it could be better drilled under his junior, only shows how narrowly his passion or his bias must have made him view that important question, compared to the comprehensive grasp, he *would* have taken of it, with his mind, had it officially come before him in his former situation. He is at length arraigned before a court-martial, and commences by objections which could meet with no sustentation from military law, and which, even had they been more valid, would have appeared much more dignified, had they simply been alluded to in the course of the defence. He challenged the *array*; that I believe, to have been a mistake in law, for I do not think any such challenge as that is sustainable before a court-martial; but I merely speak of it, as a law point, passingly, at present; and go on to consider the substantiality of the objection to the Court. The Court was perfectly legal; but had it *not* been so; had the law been that no Field Officer should be tried by any one of only the degree of Captain, *unless* (as is provided in the case of a Captain sitting as President) Field Officers could not be had, then there would have been at least a *prima facie* validity in the challenge—not to the *array*, but to the *jurisdiction*—but the Court was perfectly legal as it was, and, therefore, any challenge on that score was injudicious, and necessarily unavailing. But as to the Court's irregularity, in admitting such a heap of irrelevant matter on the defence, I am not surprised at that; nor under the peculiar circumstances need it much be blamed by us unofficial commentators, though the



Commander-in-Chief was perfectly right to reprehend it. The public sympathy had been excited for Colonel Kennedy, as it always (from a noble quality in human nature) will be, towards an individual either unjustly dealt with, by those in power, or harshly, or vindictively, or meanly pursued, even where the fault has been great which originated the displeasure. The Court, therefore, doubtless under the sway of that amiable feeling, were less scrupulous about nicely considering the relevancy of the matter which was offered in the defence, and complied with the Colonel's wishes, as they led not to the introduction of any irregular evidence. The Commander-in-Chief's General Order on the occasion is a masterly dissertation—no doubt of that—as to doctrine, generally; but too verbally harsh in some instances with the Court;—a strain which his Excellency would have done better to have avoided, as the Army at large could not but have looked upon him as more directly a *party*, than what one in his situation commonly is, or ever should give reason for having himself considered. The very frequent references by Colonel Kennedy, to his 'rank and standing' struck me as being injudicious and ungraceful; for it not only has the appearance of avoiding the merits, but in almost every instance, it forms an argument more against him than in his favor! There is yet another of these secondary points, which is not unworthy of notice, as forming what may be termed a personal error on the part of Colonel Kennedy. He repeatedly speaks of the *disgrace* of being *tried*; though, surely his common sense, if not his legal experience, must have informed him that it could never be in the *trial* that the disgrace consisted. To judge him by the force of his own careless language we must now consider him *disgraced*, and yet although he has not only been *tried*, but convicted and punished, and was greatly in fault besides, he is not *disgraced*. Both the Commander-in-Chief and the Adjutant General of the Madras Army, have in their day been *tried*, and upon very grave charges too, but they are not at all disgraced, which, however, they must have been, although honorably acquitted, if Colonel Kennedy's theory were a truism, and if character were so much as *that* at the mercy of an accuser.

"I have taken a comprehensive rather than a minute view of the present case; because in regard to the details, and the minor bearings of it, every reader can judge for himself, though every one might not be able to do so on all the questions of law



and practice to which it has given rise. I sincerely wish I could have gone the full length on Colonel Kennedy's side, because my feelings are with him, and because, in the broad question, as between him and the Government, I repeat that I conceive he was more sinned against than sinning; and that Government have acted much more in the character of a partisan for the Commander-in-Chief, than as a dispassionate judge on the case of Colonel Kennedy. But on no consideration could I do such violence to either my conscience or my judgment, as would be involved in a concurrence with the Colonel in the extraordinary and mischievous dogmas he has asserted both in law and discipline, and which cannot but do the greatest injury to his professional reputation in the minds of all who may be disposed to deduct from his previously established merits as a military lawyer. As mere compositions, his letters are very good, and they are, moreover, argumentatively forcible, where they relate to his supercession in the Brigade command, *before* he pressed upon the notice of his superiors his unacquaintance with the paraded duties of a regiment;—an admission of which, after all, I cannot say that I think the Government made a very magnanimous use, especially as every Government in India must be aware that they have, or have had, officers in similar commands whose all but confessed deficiencies in that respect quite equalled Colonel Kennedy's—which, after all, were made an *ex post facto* use of (the unfairest use in the world) to countenance his exclusion. If the Court of Directors attribute his errors of doctrine or theory, as displayed in the contest to any thing more rooted than the anger and vexation which over-mastered his mind when brooding over a severity of treatment which he referred in a great degree, to personal vindictiveness, then they may confirm the supercession as to his particular case; but I feel confident they will not approve of its extension, as they must ~~be~~ well aware of the manner in which patronage is abused, and that unless an examination was in each case instituted, that which they intend principally as a crowning reward for long and honest service, would be withheld from every old officer who should not be more or less a minion of the existing set,—just as we now see, and always have seen, Majors treated, with respect to the command of regiments."

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### THE LATE JAMES KYD, Esq.

We have to announce a severe loss to the society of Calcutta, in the death of a most excellent man—James Kyd, Esq., which occurred on 26th Oct. Mr. Kyd was the son of the late Genl. Kyd, of the Bengal Engineers, [whose Mausoleum forms an elegant object in the Company's Botanic Garden which he laid out] and was universally recognised as the head of the East Indian class to which he belonged—“*Quando ullum invenient parem?*” But the high esteem in which he was regarded, was not confined to his own class; it followed him every where, for it was the natural and spontaneous tribute to a most benevolent disposition, associated with talents of no mean character, which pointed him out for selection as a member of almost every public committee. The charities of this really good man were not ostentatious, nor were they distributed with a lavish hand; they were the silent bounty of a kind heart that could not brook the sight of wretchedness, and sympathised with distresses which he well understood; they were numerous and continual and well applied,—at one time rescuing from starvation the poor refugees of Saugor and the Soonderbuns, who flocked to Kidderpore after the inundation of 1833; at another, offering an asylum to some friendless European, not for a day but for months, till employment could be found to procure him a maintenance. And we in vain rack our memory, in the course of a long and intimate acquaintance, for a single instance of harshness or ungenerous conduct to set against this multitude of benevolent actions.

Mr. Kyd, from a boy, was brought up to the trade of a ship-builder. He came out from England in 1800 as an assistant to Mr. Waddell, the Company's master-builder, who had then the same Yard at Kidderpore, which afterwards, on Mr. Waddell's retirement, in 1807, became the property of the two brothers, Messrs. James and Robert Kyd, who succeeded him in the appointment. From this Yard towards the end of the war was launched the *Hastings* 74, the only line of battle ship ever built in Calcutta, a ship built by private subscription among the merchants, and afterwards sold to his Majesty's Government. In 1814, Mr. Kyd made a voyage to England in another fine ship, the *General Kyd*, of his construction the year before, and during the voyage an accident occurred which tended further to establish his reputation with the Admiralty and the East India Company. On nearing St. Helena, the *Semiramis* frigate (the Commodore's ship) having on board Sir John Cradock, ex-



Governor of the Cape, ran foul of the *Vansittart*; a Chinaman of 1200 tons, and was so much injured by the shock, that she was with difficulty carried into St. Helena in a sinking state. To repair her there was thought impossible, and it was besides of the utmost consequence not to delay the fleet, which consisted of seventeen sail—on the other hand, this being war time, and the property afloat worth some millions sterling, to proceed without the convoy ship would have involved great risk and very serious responsibility. Mr. Kyd was consulted: he examined the frigate and undertook to repair her damages, if all the carpenters of the fleet were placed at his disposal,—and, to the astonishment of every body, he got the vessel ready for sea in about ten days. It may well be supposed he *might* have bargained for a large sum as the value of the service he performed; but no remuneration did he ever ask for or receive. He had, however, a higher gratification in receiving the thanks of the Commodore of the E. I. Co. and of the Admiralty, expressed in the most complimentary language, and the compliments of the Admiralty were accompanied with a silver Salver, value a hundred guineas, bearing the device of a ship and an appropriate inscription.

Any person not acquainted with the fickleness of public bodies would suppose that an individual who had rendered the State and the East India Company so important a service, at a critical moment and gratuitously, would be remembered as a man that should never after have cause to complain of gilliberality or injustice in his dealings with either. It pains us to tell the truth. Their representative, Lord William Bentinck, has brought upon them a stain of the deepest ingratitude, and an answer very recently received by Mr. Kyd from the Court of Directors has indelibly fixed it. That Governor General took it into his head, among his reforming notions, that a Company's master-builder was no longer necessary, and that, perhaps, there might be some saving in the item of ship-repairs if a Commission were paid in lieu of the previously settled rates of charge. Mr. Kyd was, therefore, deprived of his monthly stipend (of, we believe, 1200 rupees for rent, salary, and office) and made to accept 20 per cent. commission upon Government repairs, &c. as in the case of private work. And this innovation soon led to another; open tenders were invited for all new vessels, and at last the repairs were also contracted for in the same manner, not giving Mr. Kyd the least preference whatever, but (if we may judge from appearances) rather giving others a preference



over him. In this manner was Mr. Kyd deprived of his appointment of Company's master-builder, without any compensation—in the face of lavish liberality to pensioned India House clerks, and in the teeth of a principle recognized by Parliament. The consummation of this act of ingratitude by the answer given to his memorial, is known to have very much embittered his last moments, if it did not accelerate the termination of his life.

Before concluding this obituary notice, we must not omit to mention, that, at the suggestion of the Marquis of Hastings, who held him in much respect and paid him considerable attention in society, Mr. Kyd published a pamphlet some 18 or 20 years ago, with the object of inducing young men of his own class to imitate his example, and betake themselves to handicraft more generally than they were wont to do.—*Cal. Cour.*

### DEFECTIVE SYSTEM OF BRITISH COLONIAL GOVERNMENT.

We have been politely favored by Mr. Montgomery Martin, with an early copy of a pamphlet he has written, preparatory (as the preface acquaints us) to the issue of a carefully digested work on our colonial policy. The pamphlet before us takes a cursory view of the important points to be fully elucidated in the promised work. But even within the short limits of 80 pages, Mr. Martin has managed to introduce some valuable facts and propositions, relative to our colonial possessions, well deserving careful perusal.

Mr. Martin is so opposed to the existing system of colonial government, as to consider it imperative that a very general reform should take place. To this end he proposes a plan for the better management of our Colonies, the outline of which is detailed in this pamphlet. We do not at present wish to examine its utility, but we fully agree with Mr. Martin, that a Secretary of State shifting with every majority and minority of the House of Commons, who has never visited the Colonies, and has no one around him or in his office, possessing a local knowledge thereof; that such a person is unfit to assume any direction whatever over the important possessions linked by conquest, &c. to the British Crown. It appears that within the brief period of three years there have been five Colonial Secretaries—men not brought up with a knowledge of commerce, and very slightly acquainted with the Colonies. Some of these Secre-



taries have been of one political party in the State, some of another, and all having their own peculiar and irresponsible views to adopt, their own relations and connexions to promote, and their own partisans to serve,—whilst (as Mr. Martin observes) “the ink might be scarcely dry on a Colonial despatch by one Secretary, when a successor of opposite politics might forward another.”

We shall now extract as claiming the notice of our readers, the following synopsis of the present nature of our domestic Colonial Governments.

“Few of the present transmarine possessions of England were originally acquired by actual settlement; they were chiefly obtained by conquest or cession, and to the inhabitants was promised the continued enjoyment of their religion and laws; hence we see the reason why, to a certain extent, such various forms of government are still extant under the sway of the British Crown.

“In order to comprehend this intricate and important subject in its full bearing, it will be necessary to take a summary view of each Colony as to its domestic government; and we shall then be better prepared to discuss the general question of our Colonial administration at home and abroad.

“The Colonies as to government, may be divided into three classes:—

“1st, Those having a Representative Assembly, a Legislative Council, and a Governor.

“2d, Those having no Representative Assembly, but a Legislative Council and Governor.

“3d, Those having neither a Representative Assembly, nor a Legislative Council, but only a Governor.

“The first class may be said to comprise Canada Upper, and Canada Lower, New Brunswick, Nova Scotia and Cape Breton, Prince Edward Island, and Newfoundland, in *North America*; ~~no~~ Jamaica, Barbadoes, Antigua, Tobago, Grenada, St. Vincent, Montserrat, Nevis, St. Kitts, Honduras, the Virgin Isles, the Bahamas and Bermudas, in the *West Indies*;—The Ionian Isles, the Norman Isles and the Isle of Man, in *Europe*.

“The second class comprehends, Bengal, Madras, Bombay, Penang, Malacca and Singapore, and Ceylon, in *Asia*:—The Cape of Good Hope, the Mauritius, Sierra Leone, the Gambia and Cape Coast Castle in *Africa*; New South Wales and Van Dieman's Land in *Australasia*;—Demerara, Essequibo, Ber-



bice, Trinidad, and St. Lucia in the *West India*;—and Malta and Gozo in *Europe*.

“ The third class embraces, St. Helena, Ascension, Accra and Seychelles in *Africa*;—Swan River, (Western Australia) and South Australia, in *Australasia*;—Gibraltar and Heligoland, in *Europe*.

“ In the first class, the people, through their Representatives in the House of Assembly, regulate the levying of taxes, and control, to a certain extent, the expenditure thereof; in the second class, there is no immediate power over the Council, except that of public opinion in the Colony; and in the third, the Governor is responsible alone to the Home Government.

“ Canada (Lower) is an illustrative example of the first class. Estimating the population at half a million, the number of electors is at least 80,000, of whom nine-tenths are proprietors of the soil. These electors return 88 representatives to form an Assembly (like the British House of Commons) which elects its speaker, holds its annual sitting at Quebec, the capital of the province, and is renewable every four years, under the provisions of what is termed the Quebec Act of 1791, which has been called after Mr. Pitt, but which was really drawn up by Lord Grenville.

“ The qualifications for an elector are, in the counties—being possessed of real property to the yearly value of 40s. sterling; in the towns, of the yearly value of 5*l.*, or paying rent to the amount of 10*l.* sterling annually. No religious disabilities exist as to electors, but clergymen and Jews are not eligible as representatives. The elections are by open voting. The representatives require no property qualification; they are paid 18s. a day while the session continues, and receive 4s. a league travelling expenses to and from the capital.

“ The assembly thus described is empowered to make laws for the ‘peace, welfare, and good government of the province,’ such laws not being repugnant to the Act of 31 George III. c. 31. The Assembly claims, and if an adequate civil list were granted, the Imperial Government would be disposed to concede a sole control over the finances of the Colony, both as to the extent and mode of levying the taxes and the distribution of the same.

“ The Legislative Council, or Upper House, consists of 34 members appointed by his Majesty for life. The Chief Justice, Protestant Bishop, and several other public functionaries are *ex officio* included in the list of members. This House holds its



sittings at the same time as the House of Assembly; and its functions in relation to the latter, are as those of the British House of Lords to the House of Commons:

“ The Governor of the Province represents his Majesty, in whose name he assembles, prorogues, and dissolves the two houses; which, however, he must call together once in every twelve calendar months. The Governor gives, withholds, or reserves for the further signification of his Majesty's pleasure, the royal sanction to bills proposed and passed by the other two branches, but laws assented to by the Governor, may be disallowed by the King within two years.

“ The Governor is assisted by an executive council of eleven members holding official rank, and appointed by the crown. The executive council is somewhat similar in its functions to the Privy Council in England.

“ The number of executive councillors, named in the royal instructions to Lord Dorchester, and to whom salaries were ordered to be paid, was nine. Additional or honorary members were introduced as early as the year 1794; but although appointed by mandamus, they had no salaries. It has subsequently been the custom for the Governor provisionally to appoint honorary members, who are supposed, however, not capable of sitting in the courts of appeal until they are confirmed by the King. The salary of each ordinary member is 100*l.* per annum.

“ The clerk of the council has a salary of 550*l.*, and about 85*l.* fees; and an assistant clerk has 182*l.* 10*s.*

“ The executive council are required to give their opinion or advice to the Governor whenever it is asked for. There are some cases in which, by the provisions of statutes, imperial or provincial, or under his commission, or instructions from his Majesty, it is incumbent on the Governor to act either by and with the advice, or with the advice and consent of the executive council; but in far the greater part of the business of Government he is at liberty to receive advice or not as he pleases; and if he does take the opinion of the council, to proceed in opposition to it without entering his decision, or assigning its reasons on the council books.

“ Notwithstanding, however, the want of any cogent rules for recurring to it generally, there are two or three extensive matters, of which the right of the council to take cognizance has always been well established. Up to 1826, when the office of Commissioner of Crown Lands was created, the executive council had the whole superintendence of the business of land



granting ; it still retains the direction of it in some cases, and is commonly referred to by the Governor in any disputed matters arising in or out of the disposal of the Crown or wild lands. The Council has also been charged from the earliest times with the duty of auditing the public accounts. Another old and most important attribute of the Executive Council is that of hearing appeals from the courts of law, which function, in like manner as it had belonged to the former Council of Quebec, was allotted to it by the 34th section of the Constitutional Act, and subsequently regulated by the Provincial Statute 34 Geo. III. c. 6.

" The Council can assemble only on summons from the Governor, and cannot sit as such without his being present. It may and frequently does sit in Committee to consider matters referred to it by the Governor, and these Committees go through almost all the labour of the financial and land business of the Council ; but their proceedings require to be confirmed by a regular meeting, with the Governor present, before they can be acted on. The Members of Council have not the right of recording their opinions individually, or of entering protests on their ~~points~~ <sup>points</sup>, and they are sworn to secrecy, without any exception or reservation.

" In some of the West India Colonies there is only a Lieut.-Governor, with a Governor over several islands and settlements ; thus, the Governor of Barbadoes has under him the Lieut.-Governors of St. Vincent, Grenada, Tobago, and British Guyana. The authorities of the Lieut.-Governor is almost equal to that of the Governor, the great difference being in the salary and emoluments of office.

" The second class, i. e., those Colonies having no Representative Assembly, but their affairs presided over by a Legislative Council and Governor, is a subordinate step in Colonial Government. The Legislative Council consists of a few of the principal officers of the Government, viz., the Chief Secretary of the Colony, the Colonial Treasurer, the Chief Justice, and Attorney-General, the Bishop or Archdeacon, and the Commander of the troops.

" This Council is presided over by the Governor, and, in some instances, its proceedings are carried on with open doors (as at the Cape of Good Hope, New South Wales, &c.) In some Colonies there is, in addition to the *Legislative* Council, an *Executive* Council, consisting of the principal official servants of the Crown, who are to the Governor what the Privy



Council is in England to the King. The Government of India partakes of the two latter; the Council appointed to aid the Governor-General, or Governors of the respective Presidencies of Bengal, Madras, and Bombay, consists of the oldest and ablest civil servants of the Company, nominated by the Court of Directors in London, to whom is added the Commander of the Forces at each Presidency. These Councils are each but four in number; they aid, advise, and to some extent control, the Governor-General or Governors of Madras and Bombay in all executive and legislative acts; and though the Governor-General or Governors, may, on cases of emergency, act independent of the Council, yet the reasons for so doing must be recorded in writing on both sides, and transmitted to England for final adjudication.

"The Bishop of Calcutta has no seat in the Supreme Council, nor have the church dignitaries at either of the other Presidencies.

"It is evident, that, in the foregoing form of government, the ruled have but little control over their rulers; and that with the exception of responsibility to the fluctuating and distant authorities in England, it is little better than an oligarchy on a small scale, without, however, the hereditary feelings of the latter for the perpetuation of its authority. I do not here say that a Government thus constituted is unsuited to some of our Colonies,—I merely point out its combined legislative and executive power, as one of those precarious states of society, which require the most vigilant care, prudence, and management.

"The third form of government consists solely of a chief appointed in England, without Assembly or Council, and subject to no check but the Colonial Office, in Downing-street."

### INJURIOUS TENDENCY OF SOLITARY CONFINEMENT IN THE INDIAN ARMY.\*

We have received from the author, Dr. Malcolmson, late Secretary to the Madras Medical Board, a well written pamphlet on solitary confinement in warm climates. The following arguments, which we extract at length from the work, plainly shew, that however desirous it is to utterly do away with corporal punishment in the Army, a vigorous recourse to the

\* A Letter on the effects of solitary confinement on the health of soldiers in warm climates. By J. G. Malcolmson, &c. &c.—Smith and Elder. 1837.



#### 464 *Tendency of Solitary Confinement in the Indian Army.*

silent system, with the Army in India, is attended with consequences of a more evil character than result from the abhorrent system of the lash. Mr. Malcolmson suggests that a modified system of military punishment, by confinement, would better answer the purpose in view.

" Having been occupied, for a number of years, in the study of the causes productive of disease in warm climates, a number of facts have occurred to me, which proved, beyond a doubt, that lengthened periods of solitary confinement, under the regulations now in force, are destructive of the health and efficiency of the soldier; and it is in the hope of attracting attention to the important and distressing subject, that these pages are written. But, before entering on the proofs my experience has afforded of the truth of this assertion, I must first of all state, that I am no advocate for corporal punishment; and that I am satisfied, that, in most cases, it is not effective in preventing military crime. Yet, while feeling so strongly on this subject, that a fear of strengthening the hands of the advocates of corporal punishment, for other than disgraceful crimes, ~~but~~ such as are committed on actual service, has deterred me from laying these remarks before the public longer than, perhaps, I ought; I cannot shut my eyes to the fact, that, at the present time, the danger is of another kind, and that it is to be feared, that the anxiety to escape the revolting spectacle, or report of flogging, will lead to the substitution of punishments, which the victims will find incomparably more cruel and destructive to their future health and well-being. There are many who care little how much is suffered, provided that such suffering be removed from their sight; and while revolting at a lash, could coolly consign, as no business of theirs, to rot in a jail, or solitary cell, their erring countryman or fellow-soldier. I have reason to believe, that more real misery has arisen in twelve months, from imprisonment in the great jails of India, than has been inflicted by corporal punishment in a hundred years.\* The revolting nature of military flogging, is in itself a

\* The following abstract statement, showing the mortality in a few of the Indian Jails, during the years 1833 and 1834, will surprise the reader.

Jails.		Deaths.	Annual deaths per ct. to aver- age numerical strength.	Jails.		Deaths.	Ann. death per ct. to aver- age numerical strength.
Bengal 1833.	Shergottsee	131	25.20	Madras 1834.	Salem . .	100	29.11
	Bancoonah	130	24.70		Guntoor . .	235	33.71
	Deonajpoor	202	57.71		Rajahmundry	130	35.12
					Combatoor.	101	38.12



recommendation,—I think its only recommendation,—as it renders Courts-Martial averse to inflict it, and thus enlists a feeling in the minds of the judges, who are wisely required to witness its infliction, which tends effectually to prevent undue severity.

“It is very necessary in the Army, where large bodies of men of all kinds of tempers and characters are congregated together, by a tie which they cannot dissolve, as in civil life, not only for its efficiency, but still more for the welfare of the well-conducted soldier, that the discipline should be strict, and punishment of outrage severe and certain. But punishment should never be disproportionate to the offence, nor of a kind that entails greater evils than make a part of the sentence; still less, should permanent injury be inflicted on the health and life of the individual. Another consideration that has often been urged by medical writers, when enforcing the claims of the soldier to the consideration of the Government he serves, also applies here,—viz, that a serious loss is incurred by whatever impairs the future efficiency of the soldier. And being satisfied that long continued solitary confinement, especially when conjoined with restricted diet, has a direct tendency, and frequently does produce impaired health, and intractable forms of disease, I think it my duty to call public attention to it; more particularly, as in consequence of the strong feeling against corporal punishment rapidly gaining ground, the tendency seems to be, to overlook the evils attending those which may be substituted, and which are not of a kind to force themselves on the observation.

“Much may be done, and of late years has been done, by treating soldiers more as ‘men of like passions with ourselves,’ and by carefully studying their comfort and welfare, without interfering more than is necessary with their employments and pleasures. I have had the satisfaction to witness such a system in one European corps in India, in which, while every man was required strictly to perform his duty, the gates of the barracks were left open, and none of those annoying restrictions, once so common, were imposed. Under this system the men were remarkably healthy, only one instance of corporal punishment occurred in several years, and solitary confinement was seldom called for. This plan will often fail, and for such instances the higher authorities must be prepared with remedies, by which crime may be restrained, without laying the seeds of disease in the constitution of the criminal.



"Previous to the 4th of April, 1832, European prisoners under solitary confinement, in the Madras Presidency, received their usual rations, with the exception of spirits. On that date, the General Order, of which the following is an extract, was issued by the Commander-in-chief, and carried into effect at Masulipatam, on the 28th of the same month, in the Madras European regiment, of which I was then in medical charge :—

**GENERAL ORDERS.**

*'Head-Quarters, Choultry Plain, 4th April, 1832.*

'The following regulations are established, with a view to the due and uniform execution of sentences of solitary confinement, and Commanding Officers will be held strictly responsible for any deviations therefrom.

\* \* \* \* \*

'Paragraph 3.—Fatigue clothing only is to be worn by a prisoner while in solitary confinement. His regimental clothing, and the remainder of his kit, being lodged in store.

'Paragraph 4.—As a general rule, the diet of prisoners, under solitary confinement, is to be restricted, to bread and water, subject to such addition as the medical officer may at any time deem to be necessary.'

"Soon after this Order had been carried into effect, my attention was forcibly attracted, by a very peculiar train of symptoms in a patient admitted into hospital; but it was not until the reception of another patient, suffering from an exactly similar form of disease, that I discovered that both had been in the solitary cells, and was impressed with the conviction, that their illness was produced, or greatly modified, by the punishment they had undergone. It may prevent misconception to state, that these men did not come to the hospital, till the period of their confinement had expired; and as at that time, the full period awarded by sentence, had to be made up after discharge from hospital, the men were, for the most part, averse to report themselves sick before they had completed their time."

After observing that he had communicated the above facts to an Indian authority, who seemed disposed to treat them with respect and consideration, the author proceeds :—

"Many men, particularly those of indolent habits; endure a confinement of four or six weeks, on bread and water, without injury to their health; but, in some instances, a shorter period is sufficient to cause a total loss of appetite,—the bread is hardly touched, and on other food being allowed, the patient is un-



able to eat or to digest it. The stomach becomes weak; there is uneasiness across the region of the stomach, spleen, and liver; The pulse is quick and feeble; and the clammy skin, vertigo, debility, head-ache, and sleeplessness, show how much the constitution suffers from diminished nervous power. The convalescence is slow, and the treatment requires to be adapted to the enfeebled state of the system. The effect is, however, more clearly seen in men sentenced to six or twelve months solitary confinement. Two of these were in hospital at the same time, with decided symptoms of scurvy: one was admitted after five months confinement, during part of which he had been allowed extra diet at my recommendation. It was observed, that for some time previous to his removal to hospital, his daily allowance of bread was removed almost untouched. Very few men are able to undergo a long period of solitary confinement on bread and water, without being much in hospital during the period of sentence; and many continue to suffer from the various diseases to which men of exhausted constitutions are so liable in warm climates. I have observed the minds also, of prisoners confined for long periods, more especially when on a diet they believe to be destructive to their health, to become gloomy, or even furious, and disposed to commit every crime; a fact which was forcibly stated many years ago, in the House of Commons, by Sir Robert Peel, in reference to the substitution of solitary confinement for other punishments in this country. When the solitary confinement is long continued, the severity of the punishment is increased in a much greater proportion than the length of time, and any addition in the shape of restricted diet, which may be necessary in short confinements, is quite uncalled for; the long seclusion without employment is itself sufficient.

"Many observant practitioners have, of late years, been impressed with a conviction, that a cachectic taint of the constitution is easily induced in hot climates, which greatly aggravates the diseases so prevalent in those countries. Want of exercise and depressing passions, are amongst the most frequent causes of this state of the system, which becomes itself a very formidable disease, though often escaping detection till too late to be remedied by art. So strongly are some commanding officers impressed with objections to solitary confinement, that several have expressed to me a very strong repugnance to inflict it. One of these gentlemen, under whom I had the privilege of serving several years in the Horse Artillery, and who is



equally distinguished as a scientific soldier and for his unwearied attention to the troops under his command, stated to me, nine years ago, in reference to a fine young man who had thus become a burden to the service, that 'strong as his aversion was to the old punishments, they were to be preferred to this.' "

### SYDNEY,—NEW SOUTH WALES.

We derive the following account of Sydney, from a work just published entitled, "*The Felonry of New South Wales.*" By J. Mudie, late a Magistrate in the Colony:—

"The unprecedented progress of the Colony of New South Wales, in spite of the errors (at first nearly fatal) in its government, affords a most instructive lesson to the legislators of a great naval and manufacturing power like great Britain. It is not yet half a century since the first settlement, consisting wholly of convicts and their military guard with a few Civilians for the assistance of the Governor, was formed at Sydney Cove. For the first quarter of a century, from the apathy of the Home Government, and the habit of regarding the settlement merely as a place of punishment for felons, little or no advance was made in developing or cultivating the natural resources of the new world which was made the scene of so extraordinary an experiment. After some encouragement, however, had been given to the settlement of free emigrants in the Colony, its capacities were discovered and drawn forth with a degree of assiduity and success quite unexampled. The Colony now rapidly progressed in populousness, enterprise, and wealth. In the short time of less than a quarter of a century, a territory extending several hundreds of miles in length and breadth has been occupied, partly cultivated, and opened up by roads in all directions. The capital town, Sydney, has increased to 20,000 inhabitants; and there are twenty-nine other post towns in different parts of the country, all maintaining regular intercourse with each other, and with the capital, by land or water conveyances. Sydney is handsomely built, and is now, or about to be, lighted with gas. It abounds with warehouses and shops of every description. So numerous are its wealthy inhabitants, that its streets are almost as crowded with carriages as are the busiest thoroughfares of London. There are seven newspapers, one of which is published thrice a week, and four others twice a week, making thirteen newspapers issued weekly. The exports from the Colony now amount to about a million sterling



per annum, and the imports, consisting chiefly of British products, are nearly of the same value. The revenue raised within the Colony was estimated, for 1836, at £200,000, whereof more than one half was anticipated as Customs duties in spirits alone. The population of the Colony is supposed to be 80,000 persons.

“ So highly productive have been, and are, the operations of the Colonists. and so valuable are those operations in proportion to the amount of capital embarked in them, that the regular discount upon bills, at three months, charged and obtained by the Colonial Banks, is  $2\frac{1}{2}$  per cent., or at the rate of 10 per cent. per annum.

“ There is no species of labour, or of enterprise, which there are not to be found persons in the Colony capable of undertaking. The useful and more refined arts of life, consequently, have attained a high state of perfection as compared with their condition, even in the parent state. The literature of the Colony is respectable as to talent. Competent teachers, in every branch of education, are also to be found in the Colony, which likewise contains two Colleges,—an Agricultural and Horticultural Society,—a Society for promoting Christian knowledge,—one for promoting Colonial produce,—a Subscription Library,—five Banks,—two Assurance Companies,—a Benevolent Asylum,—a Bible Society,—Associations for Suppressing Cattle Stealing,—A Museum,—a Botanical School,—an Emigrants' Friends' Society,—a Mechanics' Institute,—a School of Arts for Mechanics,—several Masonic Lodges,—a Church Missionary Society,—a Wesleyan ditto,—an Observatory,—Orphan School,—a School of Industry,—a Steam Conveyance Company,—a Dispensary,—and various other institutions; besides a theatre, with balls, concerts, races, and other public amusements, altogether presenting a state of things perfectly unexampled in the formation of an infant community.

“ The astonishing progress of New South Wales, in short, in the arts and enjoyments of civilized life, in so short a space of time, and at so insignificant an investment, comparatively, of capital, for their acquisition, incontestably proves that so long as the Crown of England possesses extensive tracts of unappropriated lands in foreign climes, it is in the power either of the British Government, or of associations of the British public for the purpose of raising the requisite capitals.—capitals trifling in their amount when compared with the prodigious magnitude of the advantages to be gained,—not only to provide an adequate outlet for the superabundant population of Great Britain and



Ireland, but to form new nations, capable of repaying an enormous profit upon the capital employed in giving them birth, and of becoming, moreover, customers for the manufactures of the mother country, to an unlimited and illimitable extent. The imports of New South Wales already amount to about a million sterling per annum, employing with advantage a proportionate amount of British capital, British labour, and British shipping,—an employment which is continually augmenting, with increasing profit, of course, to the mother country. It is self-evident, therefore, that either the Government or a public company might form Colonies, the benefits derivable from which would be so great, both nationally and to individuals, as to set calculation at defiance, and to render the advantages which have been gained even by the East India Company, comparatively insignificant.

“In order to effect such an object as this, however, the new Colonial establishments should be formed at once on a scale of great magnitude, and so as to form, from the very first, a highly perfect though miniature civilized community. The Colony should consist, therefore, of individuals and families of good character, selected, in due and well calculated proportions, from all the useful and productive classes of the mother country, with the proper sprinkling of persons necessary for imbuing the Colony with, and continuing to cherish in it, the ornaments of civilization, as well as a proper tone of religious and moral feeling, and literary and scientific acquirement. A capital of from 5 to 7,000,000 sterling would be sufficient for at once settling a colony with a population as numerous as that of New South Wales now is. The progress of such a population, of which the component parts should be harmoniously proportioned,—in which the evils of the convict system should be entirely avoided,—and which should have infused into it, from the very first, not only all the elements, but the ripened fruits, of high civilization and moral and intellectual refinement, would be incalculably great and rapid. • It would be the transplantation, in short, of a perfect and civilized, though small community, capable of making giant strides in subduing an unoccupied portion of the earth,—the richest pursuit indicated by political science, and the most glorious achievement and triumph of experienced legislation and enlightened humanity.”

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## INDIAN INTELLIGENCE.

## Calcutta.

SUPREME COURT, Nov. 14, 1836.

Mr. Clarke was about to move, at the instance of James Pattie Esq., for a writ of certiorari, to remove a conviction of James Hardwicke Patton, a Magistrate, and Justice of the Peace of the district of the 24 Pergunnahs.—The Chief Justice—Mr. Clarke, if you state in your affidavit, that this is a conviction under the 53d of George 3d, c. 155, then the order goes, as a matter of course; but if you go into a special statement of facts, involving the question of the jurisdiction of this Court, then it becomes a question whether the Court will grant you even a rule nisi, and I understand from Mr. Justice Malkin, before whom you mentioned the matter on Saturday, that you contemplate taking some such course. If Mr. Patton has acted illegally as a Magistrate of the Zillah, a certiorari from this Court is not the mode of redress. Mr. Pattie has his remedy in another form.—Mr. Clarke stated, that he had two other grounds in addition to the ground stated in Mr. Pattie's affidavit. The learned Counsel stated his second ground to be under the 33d Geo. 3d, c. 52, and that, thirdly, Mr. Pattie, as a British subject, had a right at common law, to apply for, and upon a satisfactory affidavit, to obtain from this Court his writ of certiorari.—Mr. Justice Malkin.—Your affidavit states that the conviction is under the 10th section of the 53d of George 3d, c. 155.—Now, there is nothing disclosed on your affidavit relating to trespass, or assaults upon natives, &c., the conviction is merely for *forcibly not giving water*; or something of the sort, and then the question arises, is this a conviction under the Act of Parliament as stated in the affidavit?—and was Mr. Patton acting as a Magistrate or Justice of the Peace, within the meaning of the Act?—Mr. Clarke. The summons is signed by Mr. Patton as a Magistrate and Justice of the Peace, and it will appear by the roll of this Court, that he has been sworn in as a Justice of the Peace.—The Chief Justice.—State your facts Mr. Clarke, on which you ground your application.—Mr. Clarke then stated the substance of Mr. Pattie's affidavit.—The learned Counsel having read the affidavits, submitted, that from the several irregularities disclosed on the face of them in the proceedings of Mr. Patton he had shewn enough to the Court to entitle him to his writ of certiorari.—The Chief Justice.—

The irregularities are not the question; if we have jurisdiction, you have disclosed more than enough, upon your affidavits, to entitle you, not, as you ask merely, for a rule nisi, but for a rule absolute in the first instance. If it is a conviction under the 53d Geo. 3d c. 155, then you will get your certiorari—if under any other statute, state it, and shew it to the Court, and you will be entitled to your writ. Mr. Clarke then went into his argument. The learned Counsel stated that he had three grounds on which he meant to rely, to shew the jurisdiction in the Court, in this matter.—1st. The conviction was under the 53d of the King—2dly, by the 153d section of the 33d of Geo. 3d, c. 52, it is enacted that the convictions and proceedings before Justices of the Peace only, shall be removeable by writ of certiorari, into the Supreme Court—but, by the 106th section of the 53d Geo. 3d, c. 155, the words "Magistrate of the Zillah" are introduced, and nothing is said about Justices of the Peace, and the object of the Legislature in framing this enactment is evident, by the words of the preamble tacked to this clause; they are in substance:—Whereas, up to the time of framing the Act, British subjects, resident in the territories in India, were not subject to the jurisdiction of the Zillah Magistrates, and that it was expedient to provide more effectual redress, in the cases specified in the Act, that is, in cases of assault, forcible entry, and other injuries accompanied with force, and committed by British subjects on natives of India resident in the East Indies; therefore, jurisdiction over such offenders was given by the Act to the Zillah Magistrate. This, therefore, is the only Act, under which the Magistrate of a Zillah has jurisdiction over British subjects. It, therefore, is the Act under which, only, Mr. Patton can have convicted in the present instance,—he has no jurisdiction over Mr. Pattie, but in virtue of this Act, the conviction, therefore, must be under this Act, and the Act gives a writ of certiorari! It is in vain to say, because he has improperly acted, or exceeded his authority, therefore, your Lordships will not interfere, because that would amount to a denial of justice. By the Provisions of the Act, Mr. Pattie, over whom the clause gives Mr. Patton jurisdiction, has his remedy provided him against the abuses of this authority by the person exercising it,—he has no other remedy.



The commissioner will not take the case; and if your Lordships also refuse to take it because you are not satisfied of your jurisdiction, where, I would ask, can Mr. Pattle go for his remedy?—he can find no redress in the superior Mofussil Court, your Lordships refuse him any in this!—and from all this it would appear, that all that a Zillah Magistrate need do in similar cases, to protect himself in the wrongful exercise of his authority, would be to *exceed* his authority to such a degree that no Court will take cognizance of his conduct,—and, thus, he would elude the Act. The Court will assume its powers, when the Magistrate has been guilty only of slight transgressions of the Act, or where he has not exceeded his authority at all; but, when he boldly steps beyond all limits, then the Court will not interfere to check him, because he has gone so far. Had the charge against Mr. Pattle been made before the passing of this Act, Mr. Patton must have said,—“I have no authority; go to the Supreme Court. Mr. Pattle is a British subject; I have no jurisdiction over him!” But since the 53th Geo. 3, c. 155, he does not say that, but he acts under the statute which gives him his powers, and yet the Commissioner and this Court both say, when asked to interfere,—No; the act of Mr. Patton is so illegal that we will give you no redress whatever.—The learned Counsel then stated that his 2nd point was, that he had a right to have the proceedings removed, in order that when brought up, he might find out, whether Mr. Patton acted as a Magistrate or as a Justice of the Peace; the summons was signed J. H. Patton, Magistrate, and Justice of the Peace, and, if he acted as Justice of the Peace, the learned Counsel stated Mr. Pattle was entitled to his certiorari under the 153d section of the 33d Geo. 3d, c. 52, by which section, all convictions, &c., by Justices of the Peace under that Act, are removeable by certiorari, into the superior Court of Oyer and Terminer and Goal Delivery, i. e., the Supreme Court, within six months after the conviction. The learned Counsel's third point was, that he had the right to his certiorari at common law.—The Judges of the Supreme Court, by the 4th section of the Charter, had all the jurisdiction and authority of the Court of King's Bench at home, throughout Bengal, Behar, and Orissa. At common law, every British subject has an inalienable right to his writ of certiorari, which right cannot be taken away, even by Act of Parliament. Mr. Clarke then cited *King v. Wm. Wright*, in the 330th

page of his own book. In which it was laid down by Sir Charles Grey, then Chief Justice, that this Court, as a Court of Oyer and Terminer, had the power to grant a criminal information against any person whatever, residing within the Company's territories, (though not otherwise subject to the jurisdiction) in those cases in which the King's Bench in England could grant a criminal information. It is true, this is a certiorari, and not a criminal information, but the principle is the same in both, at least, sufficiently for the purposes of the present application. The learned Counsel then cited *King v. Haines 1st*, *Ryan and Moody's Reports*, and *2d Burr 1043*. A certiorari does not go for the purpose of trying merits, but in order to see if the Court below has not exceeded its limits. The jurisdiction of the Court of King's Bench is only taken away by the express words of a statute; this Court possesses the same powers, and unless taken away by express words of a statute, the common law right of British subjects to sue out their certiorari from this Court, remains as it was introduced into this country, previously to the 13th George 3d.—He here cited the *King v. Jukes*, *3d Term R. 542*.—Mr. Pattle would have a right to his Habeas Corpus, if Mr. Patton instead of fining him, had put him into prison. If my friends, when they come to shew cause, should succeed in persuading the Court, that it cannot grant a certiorari, by the same rule the Court could not issue its writ of Habeas Corpus.—The learned Counsel then contended, that his grounds for his application were not slight, but, on the contrary, very full and satisfactory; before he concluded he would make a few observations on the affidavit of service of the notice on Mr. Patton. It was the affidavit of Mr. Smalley; every one knew that Mr. Smalley was, of all men, pre-eminently mild, bland, and inoffensive, and yet did Mr. Patton tell him, that the service upon him of the notice was a contempt of his authority and an insult, and a contempt of the authority of Government itself. Now, these were heavy charges to be made by a civilian high in office; Mr. Smalley naturally felt a wish to exculpate himself, and it was for this reason that he mentioned the circumstance, in order to account for the notice of these matters in the affidavit of service.—Chief Justice. It is not for us necessary to enter, at present, into all these statements. If you, Mr. Clarke, had come here with a very slight affidavit of facts, we should have granted your cer-



licari absolute in the first instance, and almost as a matter of course. The ground on which you make your application is, that the conviction is under the 55 Geo. 3d, c. 155, under which it is quite clear Mr. Pattle is entitled to his writ. Mr. Pattle swears he believes the conviction is under this statute, and that is sufficient—you may take your rule *nisi*, which is all you ask for.—Mr. Clarke. As this is the state of your Lordships' opinion, perhaps you will give me a rule absolute.—Chief Justice. No, Mr. Clarke, we will give you only what you have applied for.—*Rule nisi granted.*

INSOLVENT COURT, Oct. 29.

Mr. Justice Mallock presided, but the cases were few in number, and not of public interest, excepting an application made by Mr. Boyle, on behalf of the assignee of Alexander and Co., for six weeks further time to show cause against an order *nisi* obtained by the Advocate General to allow the Bank of Bengal to prove for upwards of five lakhs of rupees on the insolvent estate. Our readers will remember the application for the order *nisi*, and that a rule absolute was granted some time ago, under similar circumstances, to allow the Bank to prove for nearly the same amount, arising out of the same transactions, on the estate of Fergusson and Co.—Mr. Boyle founded his application for time on the recent service of the rule—on the departure of Mr. Turtlet Counsel for the assignees,—and on the voluminous grounds which were necessary to be laid before Counsel now retained, to oppose the rule being made absolute.—The Advocate General, with whom was Mr. Prinsep, argued that the grounds were not voluminous, but of a description such as Counsel might readily become acquainted with. Moreover, the Bank would be injured in the event of a dividend being paid by the estate during the six weeks now applied for. He did not,—he had no intention to question the grounds on which this application was made, nor had he a right to say (though he might do so hypothetically, and so he would put it) that the assignees may be expecting the receipt of a bill by the Bombay packet, from a gentleman formerly retained by them. However, he had no objection to the delay of a fortnight.—Mr. Justice Mallock suggested, in order to save the expense of another application, that a month's further time be granted. The Advocate Genl. assented, and that time was accordingly allowed.

Dec. 1.—*In the Matter of Cruttenden and Co.*—The following is the substance

of Mr. Cullen's affidavits put in this day:—*1st additional Affidavit.*—That he entered into the service of the then members of the firm of Cruttenden, Mackillop, and Co., in December, 1817, (which firm consisted of George Cruttenden, James Mackillop, and G. Mackillop) with the ultimate prospect of being a member of the firm in the event of any vacancy; that James Mackillop went to England for his health in June 1820; but previous to his departure empowered G. Cruttenden and G. Mackillop to make such alteration in the firm, by the admission of additional partners, as they thought fit; and that it was intended on the departure of James Mackillop that he (James Cullen) and James William Taylor should be admitted partners. But circumstances occurred which rendered it expedient to wait the return of the said James Mackillop, previous to adopting such measure. That James Mackillop, in August, 1821, proceeded to sea, and authorized George Mackillop to form a new co-partnership, that James Mackillop having returned in September, 1821, resumed his duties, but, on a recurrence of ill health, it was necessary that he should again proceed to sea, and that George Cruttenden having proceeded to China, and being absent longer than was expected, it was necessary to make arrangements for carrying on the business; the old firm, therefore, ceased on 1st January, 1822; it was arranged that James Mackillop should retire from the firm, and that he, and David Bryce, should be admitted parties, and that the principle of *in lieu* was, that James Mackillop should accept a specific sum, in adjustment of his share of the capital then standing to his credit in the books, and that his interest and claims should cease on that day, and, as an indemnity against loss, he should make over to the continuing members a certain per centage, in the shape of what was called the reserve fund on all bad debts then outstanding of which the recovery was at the time considered to be doubtful, and that these partners released him from all responsibility. That on this occasion a strict scrutiny as to the state of the finances and balance sheet took place, and a valuation of such debts and property as had become doubtful or precarious since James Mackillop entered the firm, was made for the purpose of making such addition to the reserve fund, as in their judgment would cover such doubtful debts, before dividing the profits. And on this occasion an estimate was made, and the same amounted to rupees



36,75,448, on 1st January 1822, and that to his belief this was the true ascertained and estimated amount, which was by mutual consent agreed upon for the losses that had accrued, or might hereafter accrue. That by a deed of dissolution and co-partnership of 5th March, 1822, a dissolution took place of the old concern, and that James Mackillop made over to the new partners his share of the said sum of Rs. 36,75,448, and of all the property of the firm; that a new partnership was formed between G. Crutenden, G. Mackillop, James Cullen, and David Bryce, for the next five years, from 30th April 1822, being 3-16ths to G. Crutenden, 3-16ths to G. Mackillop, 2-16ths to Cullen, and 2-16ths to Bryce, the remaining 6-16ths to go to the reserve fund, and appropriated as an accumulating fund for the discharge of losses, and added to the sum of Rupees 36,75,448. He also states that James Mackillop's account of the actual profits was, on 30th April 1822, the sum of Rs. 25,51,569-7-2, of which 18,37,724 was credited to the reserve fund, to meet such bad debts, which the new partners took upon themelves the realization of; and that the balance, after sundry disbursements, was Rs. 5,08,481-9-7, and was credited to him as due, states, that at this period he verily believes, and still believes, that the concern was in a prosperous and solvent condition, and that the adjustment was fair and equitable. That subsequent to the retirement of James Mackillop, notice was given by advertisement and letters sent to the creditors—that, on 31st December, 1824, the said balance of James Mackillop's account of Rs. 5,84,484-9-7, was reduced to Rs. 2,71,251-1, he having received in the intermediate years Rs. 2,31,33 of the balance originally placed to his credit.—That in February, George Mackillop wished to leave the firm, and that a further investigation and strict scrutiny took place, of their balance sheets, &c., of such debts as had become doubtful since the formation of the new co-partnership; the result was that the 6-16th share of the profits, and out-turn of the firm, appropriated towards accumulating and augmenting the reserve fund, had amounted with the former sum of Rs. 36,75,448, to Rs. 41,70,673-10-6, to which sum was added a further sum of Rs. 4,62,843, for assets of the firm considered available, placed to the credit of the reserve fund, together with the estimated share of 6-16ths of the net profits of the said concern, for the current year, which three sums amounted to Rupees

47,35,516-10-6, that the estimated amount and allowances for the bad debts that might accrue during the new partnership, in addition to the sum of Rs. 36,75,448, on 30th April 1827, amounted to Rupees 49,16,000, and this deponent believes that the sum of Rs. 47,35,516-10-6 being deducted, the sum of Rs. 1,84,483-5-6 was left to be made up by the partners, G. Mackillop paying one lakh, and the remaining partners the balance. That on 30th April 1827, the sum of Rs. 4,61,216 was due to G. Mackillop, on his private account. That by a deed of 7th Feb. 1827, the partnership was dissolved, and G. Mackillop made over the full amount of profit that might hereafter ensue, from 30th April, 1826, to the new firm, consisting of J. Cullen, D. Bryce, T. Hutton, and Browne, which was joined for five years, from May, 1827.—That 6-16ths of the apparent profit should be set aside for the reserve fund—the remaining 10-16ths to be divided thus:—5-15ths to James Cullen, 5-15ths to David Bryce, and 3-15ths each to Browne and Hutton. On retirement of G. Mackillop, the usual notices were given. He further states that the adjustment was fair, that the affairs of the said firm were considered so very prosperous and solvent when James Mackillop left, that he, the deponent, and David Bryce, then in the military service of the Hon. East India Company, and holding an office of emolument in the College, sought and obtained admission; and that in 1827, when George Mackillop retired, their affairs and concerns were not only considered perfectly solvent and prosperous, but in such a flourishing condition as to induce R. Brown, a medical man, in extensive and profitable practice, and Thomas Hutton a merchant and agent, to join, who each brought Rs. 1,40,000 into the house. He also states that during the period which has elapsed since the agreements that were entered into, when James Mackillop left, and subsequently when G. Mackillop left; their fairness or validity has, in no one instance to his knowledge been questioned, or in any respect impeached, either by them, or the continuing partners; or have the claims of James or George Mackillop to the balance standing at their respective credits in the books, been in any instance called in question until after the insolvency of the firm. That from the 1st Jan. 1822, upon to 31st Dec. 1833, the sum of Rs. 3,34,000 was drawn by and paid out to James Mackillop; and that during the said period no less a sum than 5 lakhs or upwards has



been received from or paid to his credit in the books of the firm including the accumulation of interest—Also states that by 23d clause of the deed of dissolution and co-partnership of 7th Feb. 1827, it was agreed by the new firm that if any of the partners should be compelled by ill-health or other cause to proceed to Europe or any foreign settlement with the prospect of being absent from office more than four months, it should be optional with the remaining partners to close his account, and put an end to his interest in the concern, as they might think fit. On the 12th March 1828, David Bryce having left Calcutta, his interest and share was put an end to by the remaining partners on 30th April 1828, that a strict scrutiny took place, and a valuation of such debts as had become doubtful and precarious since the period of the new partnership, and that it was considered necessary to make such addition to the reserved fund as might be sufficient to cover the risk before dividing off the profits; and that the account of David Bryce of, and in the actual profits, was at the date his interest ceased adjusted, and that the same amounted on 30th April 1828, to Rs. 2,33,000 from which Rs. 1,82,948 was considered a sufficient sum to be added to the reserve fund, or full indemnity for all loss which the continuing members took on themselves. That the balance on 3d Feb. 1829, Rs. 55,027, was due to his estate, he having departed this life since leaving India. That certain sums from a Life Insurance have since been added to it, and that on 30th April 1829, the sum of Rs. 71,563 was due to his executor, since which and during the year 1829, other sums have been received from the Insurance Office, and sum of Rs. 40,000 from the account of James Mackillop, as deponent believes at present, or capital contribution for the benefit of his family, that the estates of D. Bryce continued at the usual interest, and amounted at the insolvency of the firm to Rs. 1,20,006. That at the period the interest of David Bryce ceased, this deponent verily believed, and still believes that the firm was in a prosperous and solvent condition; and the adjustment that took place was fair, equitable, and bona fide, and that he believes that subsequent thereto the usual notice was given as formerly. He also states that during the period which has since elapsed until the insolvency of the house, in no instance, to his knowledge has the fairness or validity of this adjustment been impeached by the continuing partners, or has the claim of the

estate of D. Bryce been called in question, but has been treated on the same footing as the claims of the other creditors, with the usual allowances of interest and due acknowledgment of the debt.

*2nd additional affidavit.*—James Cullen maketh oath, and said, that by a deed of co-partnership of 7th Feb. 1827, Thomas Hutton and others made a partnership for five years from 1st May 1827. And that as before a clause was inserted that in the event of being obliged to go away sick for upwards of four months, the remaining partners could close his account, and determine and put an end to his interest in the concern. That Thomas Hutton brought in Rs. 1,66,820, which sum was credited to his account. Then subsequently the sum of Rs. 90,000 was credited to his account by transfer from that of George Mackillop; and that the capital so brought amounted in the aggregate to Rs. 2,26,820 as will appear by a reference to the books. In January 1830, Thomas Hutton was obliged by ill health to proceed to Europe, and they agreed to put an end to his interest in the concern, and to place at his credit on 1st May 1830, after a strict scrutiny and valuation of the accounts and assets of the firm, the sum of two lakhs in the balance due to him, and in full of his share up to and including the commercial year 1829-30, as a consideration for the transfer of his share of the real and personal property in the concern; and by a deed of dissolution of 27th Jan. 1830, his interest and his share in the effects became the property of Cullen and Browne, and that all debts should be paid and borne by them. That the principle of adjustment on this occasion was, that he should accept a specific sum in compromise of the capital he brought into the firm, and of his claims to a share of the net profits of the co-partnership up to 30th April 1830; and as indemnity for loss he made over to the firm the residue of his balance at credit, and in consideration of which the continuing partners relieved him from further risk and responsibility in the debts and concerns of the establishment. He further states that on this occasion an investigation and strict scrutiny took place as to the state of the assets and finances of the firm and of their balance sheet, &c. Valuation of all debts as had become doubtful or precarious since the period of his joining, and to make such addition to the reserved fund as the remaining partners might deem sufficient to cover the risk of doubtful and precarious balances, before dividing the profits



of the said partnership. That his share on the said dissolution amounted on April 30, 1836 to Rs. 3,53,208, and that the sum of Rs. 1,53,268 was considered a sufficient sum to place to the reserve fund as full indemnity against loss, and that his balance amounted to two lakhs, when he retired from the firm, that he verily believes the concerns of the firm were in a solvent and prosperous condition, and still believes them to have been so; that the adjustment which took place was fair, equitable, and *bona fide*. That the usual notice was given, and that from that period up to the insolvency of the firm, in no instance has, to his knowledge, its fairness or validity been in any respect impeached by the partners, or by any of them, nor has his full claim to the balance at his credit in question been called in, but that his account has been made up with the usual interest and acknowledgment.

Dec. 10 — In regard to the application made on behalf of Mr. R. C. Jenkins to be discharged from the office of assignee of Mackintosh and Co. the Chief Justice granted the order *nisi* to be made absolute on the next Court day, the assignee being directed to file his accounts to the day on which the order is to be made absolute.

*In the Matter of James Young and Others.*—This case was argued at full length to-day by Messrs. Clarke, Leith, and the Advocate General, with whom was Mr. Prinsep.—An order *nisi* had been obtained on a former day to be admitted to prove that the bank of Bengal were creditors of the estate of Alexander and Co. for seven lakhs of rupees and upwards, and that the assignees do pay the dividends now due on the same. Mr. Longueville Clarke and Mr. Leith were on behalf of the assignees.—Mr. Clarke contended that the Bank had appropriated funds belonging to Alexander and Co.'s estate, to the amount of Sa. Rs. 7,35,411, which they had applied to the payment of the debt due to them from Alexander and Co., and that they now claimed a dividend on a further sum of Rs. 7,30,018-12-10, as the balance of the debt. The assignees maintained that the first of these sums belonged to the estate, and ought to be divided among the creditors generally, and that it should be handed over to the assignees, and that the bank should receive a dividend on both instead of receiving the former in full—that is, a dividend on Rs. 14,65,429-12-10.—By Mr. Udny's affidavit, it appeared that the firm had failed on the 10th Jan. 1833, when the bank held 27 bills or

notes which they had discounted for Alexander and Co. amounting to Rs. 17,73,031 3-9, and that by way of collateral security they took an assignment of certain real property, part of which had since been sold or redeemed by the assignees of Alexander and Co. under an order of the Insolvent Court, and that the sums so realized had been applied in part satisfaction of the 27 bills, but that there still remained due on them Sa. Rupees 5,56,749-0-3. That the bank also held 18 bills or notes which had been dishonored, and on which there was now due Sa. Rs. 3,28,282-4-8; that the late firm of Alexander and Co. were also the proprietors of the bank of Hindostan, and that they had agreed in December 1831, to stop the issue of notes from their bank on condition of the Union bank undertaking to give them a running credit in account to the extent of five lakhs of rupees, as a security for which credit Alexander and Co. deposited with the Union Bank the title deeds of six valuable Indigo factories, and likewise executed a deed poll for that purpose.—The learned Counsel proceeded with the statement of the details of the affidavit, which was of unusual length and concluded by stating that the bank had possessed themselves of funds to a large amount which they had applied to the payment of their own debt, but which was the property of the creditors generally:—1st, a sum of Sa. Rs. 1,51,251, being the surplus of the Company's papers deposited to secure the payment of specific loans after the failure; 2dly, a sum of 19,0.9 rupees—a third of 2,77,369—a fourth of 46,428—a fifth of 7,458—a sixth of 2,44,086—and a last item of 29,800 rs. Another point was the law charges, amounting to 12,000 rs.—Mr. Leith followed.—Mr. Advocate Genl. read a letter from Mr. Wight, the attorney for the assignees, dated 5th June 1835, which in his (Mr. Advocate General's) opinion was a complete admission that the assignees consented to the Bank of Bengal taking the assignment of the six factories as security for all sums due by Alexander and Co. to the Bank. That the Bank stood in the situation of second mortgagees; and that as the assignees had consented to act as the agents for the Bank of Bengal, they were not entitled to any profits arising from the working of the factories, except such as the Bank might be pleased to allow them.—The Chief Justice expressed his dissent from the latter opinion—and stated that the whole arrangements as to the factories appeared contrary to the



provisions of the Bank charter.—The Advocate-General stated that his opinion had not been taken on this part of the proceedings.—Mr. Prinsep was about to follow in support of the rule, when the Chief Justice stated that he should make the rule absolute, with one exception; that the Bank of Bengal only required to have a claim registered for about seven lacs, whereas the assignees admitted that the Bank were entitled to a dividend on about 14 lacs; that nothing could be more loose or unsatisfactory than the evidence before the court, perhaps occasioned partly by the difficulty of investigating accounts in that manner. That in regard to the first sum arising from the sale of the Company's papers, the assignees had no claim to that, at law or equity; the Bank could plead a set off against them. That in regard to the second sum the Bank had a right to go against the parties to that note, receiving so much as the amount of the note. As to the third sum, arising from the cultivation of the six factories, that the Bank could act as second mortgages of the block. The fourth item, the notes of Mr. Shakespeare and Mr. Oakes, the Bank have a right to apply to the payment of their debt. That, in regard to the fifth and sixth items, the assignees had not made out their claim; and that he disallowed the seventh item, relative to the law charges, the Bank having produced no sufficient evidence to support it. With this exception, the rule must be made absolute. The assignees were desired to register the claim; but they might contest the payment as they may be advised.

#### SUMMARY.

*Calcutta Supreme Court.*—We have been, for several days past, in possession of information which we are enabled to lay before our readers; a statement, on authority, of what has really taken place in reference to the reduction of the fees of the officers of Court. We are informed, and we believe, on unquestionable authority, that the saving to the suitor, in the gross amount of the expenses of litigation, will, under the new system, amount to nearly 80 per cent., a consummation assuredly highly desirable.—The following are the salaries guaranteed by Government to the several incumbents of office:—

	C. S.
Master and Registrar	66,000
Registrar Ecclesiastical	66,000
Reading Clerk and Clerk of Papers	33,000
Sworn Clerk	28,000

Taxing Officer	24,000
Sealer	1,300
Examiner in Equity	—

Clerk of the Crown, and Prothonotary 38,000

As to the office of Examiner, we have as yet obtained no certain information, but we understand, that on the resignation of the present incumbent, a very great change will take place, and the office will be united either to that of the Ecclesiastical Registrar, or of the Master in Equity, who will discharge its duties gratis. The office of Sealer will also, we understand, be abolished on the resignation of its present tenant, and the Clerk of the Papers, Sworn Clerk, and the Reading Clerk, will, "like three single gentlemen rolled into one," constitute in future one office, the duties of which will be less munificently remunerated than at present; indeed, we believe, they will be abolished altogether,—that is, on the retirement of the two gentlemen, who now hold these offices. The retirement of several of the present incumbents, may, we are credibly informed, be calculated upon, in the course of the ensuing three years—by which four of these offices will be at once gotten rid of, i. e., Sworn Clerk, (Reading Clerk and Clerk of the Papers,) Sealer and Examiner, and the salaries now paid, will constitute an additional saving to the suitor. Inasmuch as with the offices, the fees to these offices, out of which the salaries are to be paid, will, we presume, cease.—Such is our information on this subject, which, as far as it goes, will be found, we trust, correct.—The Clerk of the Papers fills some office in the Insolvent Court: we understand, that the remuneration for the labors of this officer in that Court, is included in the present salary of 33,000 Rs. per annum.

We hear, that the petition of the East Indians to Parliament, has been very recently ordered by the Court of Directors to be laid before the Law Commission, with a view to its being considered in connection with the general system of Judicial establishments and the laws, Civil and Criminal, on which that body is now employed.—*Englishman*, Nov. 26.

Colonel Sir Thomas Anbury, lately commanding Fort William, having been appointed to the General Staff of the Army, Colonel Shelton of H. M.'s 41th regt., as next senior officer, has assumed the command of the Garrison for the present. Colonel Mackrell has consequently succeeded to the command of the regiment. This arrangement, will,



we hear, probably exist until the departure of the regiment to the Upper Provinces.—*Englishman*, Nov. 26.

**Death of one of the Juepoor Criminals**—Hookum Chund expired at Juepoor on the evening of the 17th instant. We have not heard if his death occurred naturally, or proceeded from self-violence, but whatever may have been the cause, the British Government have little reason to regret an event which has extracted them from a dilemma of the most serious nature—no less than the carrying into effect the capital sentence passed upon this man, or the commutation of it by a minor punishment. The infliction of the former when more than seventeen months have elapsed since the crime for which it was awarded was committed, would be an act at which we might fairly pause, while imprisonment, in the face of a capital conviction of this nature, would go far to nullify the entire proceedings on the case. We have no desire, however, to go over the merits of the question, as it will, in all probability, remain unsettled for an indefinite number of years, nor shall we now attempt to decide whether the delay which took place in the investigation arose from the indecision of Major Alves—the perplexity in which a weak mind becomes entangled on any emergency, or in the desire of that officer to do justice surely if slowly. It may have arisen from one, or both may have led to it. Be that, however, as it may, the death of Hookum Chund takes away the difficulty of considering the effect of this delay on his punishment; and, indeed, that of his colleague Jootu Ram, who may now be made, without any outrage to justice, to expiate his crime by perpetual imprisonment. The sentence of death awarded against the principals, Ummerchund, Sufi Lal, Sanoo, and Manikchund, will, we presume, be still carried into effect, for though time may effect the sentence of a mere accomplice, the actual perpetrators of the crime should yet suffer.—Hookum Chund was elder brother to Jootu Ram, and aged about 45 years.—*Agra Ukhbar*, Nov. 26.

**Dinner to Messrs. Rogers and Burkinyoung.**—A very large and respectable portion of the society of Calcutta met on 14th Nov., at the Town Hall, to give a farewell dinner to Mr. Rogers and Mr. Burkinyoung. There were nearly a hundred persons present at the dinner, which was furnished in elegant style, and the speeches and toasts were all appropriate to the occasion. In the departure of these gentlemen, the commu-

nity of Calcutta are about to experience a loss of two of its most active and useful members,—men who have ever stood forward in support of every object connected with the public interests, and who have, as the first among European tradesmen in this city, secured both the esteem and respect of every class of their countrymen.

**Exchange of British for French possessions in India.**—We copy the following from the *Courier*;—“We hear that the *Mogol*, Captain Beaufort, which is reported from Havre and Bourbon, has on board M. Bedier, *charge du service des etablissements Français du Bengale*; who brings a special commission to treat with the Governor General for an exchange of territory upon the principle of a cession of all the minor establishments of the French in India for an equivalent aggrandisement at Pondicherry. The principle itself is evidently one of mutual benefit; but there are serious practical objections to the transfer of a portion of our subjects to a foreign dominion, rendering the men of property among them in many cases liable to a double jurisdiction of serious inconvenience, especially in the case of inheritance (as lately exemplified at Serampore) and at the same time depriving them of superior protection our Government is able to afford them. The proposition too, as given out in the Madras papers, whence we copied it, is very unreasonable, since it appears to be expected that the British Government will consent to take three or four petty towns miserably poor and absolutely groaning under the evil influence of a foreign administration, as the price of a fine tract of country with an extensive sea coast, containing some fifty times as many square miles as the places to be given up to us, and yielding a large net revenue. If the French Government find their small factories in India a burthen to them, which in fact, they are, and a discreditable appendage to the nation, why not sell them to us for gold? They are worth less than nothing to the French and very little to us, but no doubt they would fetch a price which the Finance Minister would boast of in his next budget as a very advantageous bargain for France. We shall be curious to know the issue of their negotiation.”—*Englishman*, Dec. 6.

**Brevet Promotions.**—Among our extracts will be found a letter from the Court of Directors, regulating the future promotion of officers to the rank of Colonel. The principle of this order is



fair and simple. It recognizes the Bengal Infantry as the main standard for such promotion, by which all the other arms throughout India are to be regulated. The senior Bengal Infantry Lieutenant-Colonel is always promoted to fill a vacancy as full Colonel in his own branch of the service, and all Lieut. Colonels throughout India, who happen to be his seniors, are to be made Brevet-Colonels. The senior Lieut.-Colonels of the Madras and Bombay Infantry, or of the Cavalry, Artillery, or Engineers of the three Presidencies, are to be promoted to full Colonels, only when they are senior to all Lieutenant-Colonels in the Bengal Infantry. But if they are junior to any such officers, they are then to be simply Lieutenant-Colonels Commandant, but with the emoluments of Colonel, until their seniors in the Bengal regulating line are promoted to the rank of Colonel. Had this sensible arrangement been introduced in 1829, it would have spared all the supercessions and heart-burnings occasioned by Lord Dalhousie's unjust proceedings, to remedy which in equity, the Court have been obliged to promote a very great number of Lieut.-cols. to the rank of Brevet Col., and to which number a single casualty in the Bombay Art. would have actually added 80 more! The number of Brev.-cols. in India, are, at present, as follows:—

*His Majesty's Troops.*

Bengal	- - - - -	12
Madras	- - - - -	7
Bombay	- - - - -	5

*E. I. Company's Forces.*

Cavalry	{ Bengal	- - -	3
	{ Madras	- - -	5
	{ Bombay	- - -	1
— 9			
Engineers	{ Bengal	- - -	0
	{ Madras	- - -	1
	{ Bombay	- - -	1
— 2			
Artillery	{ Bengal	- - -	5
	{ Madras	- - -	3
	{ Bombay	- - -	0
— 8			
Infantry	{ Bengal	- - -	15
	{ Madras	- - -	15
	{ Bombay	- - -	16
— 46			
—			
Total			65

It is clear, therefore, that some time must elapse before any new promotion to the rank of Colonel can take place, as the 15 Bengal Infantry Brevet Colonels must be first absorbed into the rank of regimental

Colonel; a measure which can hardly be anticipated in less than three or four years. At present, there are in the Company's Army 216 Lieut.-colonels, of whom no less than 65 are Brevet-Colonels.—*Hurkaru*, Nov. 21.

*Estate of Cruttenden and Co.*—We understand that the application of the retired partners of the lapsed firm of Cruttenden and Co., to be allowed to prove for the sums admitted on the schedule, will be met by the opposition of a number of creditors, or representatives of creditors, who have appointed a committee of three of their number to arrange the proceedings. We learn that the committee have retained Mr. Leith. Our readers will find in another column, the substance of two affidavits, sworn by Mr. Cullen, having reference to the applications of the retired partners.

We are sorry to find the report of the loss of the clipper, "Fairy," is confirmed by a letter from China. The vessel, it is said, was on her return from the East Coast, with a large quantity of treasure on board, between five and six lakhs of dollars in amount, the proceeds of opium sold upon the coast, and unfortunately grounded near an island within the range of the guns of a Chinese fort which immediately opened upon her. The fire was returned from the vessel; but she was obliged to surrender, and was taken possession of by the Chinese, having lost her commander, Capt. Mackay, who was killed by a shot from the fort. This is another very severe blow to the Insurance Offices in China, and it is to be feared the Calcutta Offices (through their agencies at Canton) have not so well escaped their usual share of the loss, as in the case of the "Susanna." The shipping losses in the Indian seas, within the last six months, may now be estimated at full half a million sterling.

*Military Items.*—It is rumoured, that Lieut.-colonel Redber of Artillery, will retire on the 1st proximo. The retirement will promote Major Tennant, Capt. Farrington, 1st Lieutenant and Brevet Captain Alexander, and 2d Lieutenant R. Walker; and that Supernumery 2d Lieutenant C. Douglas will be brought on the effective establishment. It is said, that Major Tennant, when promoted, will have to vacate his situation in the Ichapore Gun-powder Agency; and that he will be succeeded by Major Graham of Artillery, now Acting Deputy Principal Commissary of Ordnance, who was, for many years, Powder Agent at Allahabad.—*Englishman*, Dec. 12.



*Abstract Statement of Regular and Miscellaneous Cases, depending in the several Zillahs and City Courts in the Lower Provinces, on the 1st January, 1835, and 1836.*

	Regular Suits		Miscellaneous Cases.	
	1835	1836	1835	1836
Burdwan . . . . .	11905	11406	12572	9796
Hooghly . . . . .	1570	1790	1783	1791
Jessore . . . . .	4727	3670	5237	2807
Midnapore . . . . .	1614	1589	1283	927
Nudden . . . . .	3545	3288	12742	4379
24-Pergunnahs . . . . .	3917	2552	9502	2233
Cuttack . . . . .	1796	1771	1880	1719
Backergunge . . . . .	604	585	1427	1066
Dacca . . . . .	3690	3277	3082	2207
Mymensing . . . . .	2524	2131	3256	1879
Tipperah . . . . .	2775	2479	1461	1203
Chittagong . . . . .	6263	5522	2515	1729
Sylhet . . . . .	2979	2263	6548	3076
Beerbhoom . . . . .	1995	2065	8559	2557
Bhaugulpore . . . . .	981	978	807	670
Dinajepore . . . . .	2697	2248	460	833
City Moorsshedabad . . . . .	1839	1657	4010	2310
Purneah . . . . .	2576	2263	3929	1519
Rajeshahya . . . . .	1300	1068	4132	1071
Rungpore . . . . .	1723	1342	579	917
Behar . . . . .	2195	2169	6821	3960
City of Patna . . . . .	978	1097	1740	1610
Sarun . . . . .	1851	1821	2791	2107
Shahabad . . . . .	3483	2980	2893	2683
Tirhoot . . . . .	2470	2660	7200	3133
	72398	61804	102577	58634

Thus it appears that in the 25 Regulation Districts there has been a reduction of 7594 Regular Suits and 43,933 Miscellaneous Cases. The files of the Judge's Courts shew a reduction of nearly one-half the number of Suits, namely, from 10,333 on the 1st January 1835, to 5796 on the 1st January 1836; which reduction appears to have been chiefly effected through the relief now afforded by the inferior Courts, to which the bulk of the judicial business, that is, all the cases of small amount, are very properly entrusted. The total number of new Suits admitted in 1835, was 27,821, of which (and of the arrears) 26,777 were transferred to the subordinate jurisdictions, and 5581 were disposed of by the Judges. The files in the Sudder exhibit still greater improvement in the dispatch of business, as will be seen by the following statement:—

Suits pending 1st January 1835 . . . . .	1084
Admitted in 1835 . . . . .	476
	1560
Disposed of during the year . . . . .	794
Remaining on 1st January 1836 . . . . .	766
Miscellaneous Cases pending 1st January 1835, and admitted in that year . . . . .	3132
Disposed of during the year . . . . .	2765
Remaining on 1st January 1836 . . . . .	367

It may, therefore, be assumed, that at the end of the current year the Sudder files will be almost free from arrears. And with respect to the judicial business in the Mofussil Courts, we understand, it is in contemplation to appoint more Additional Judges in those districts in which the business may appear to press too heavily upon the existing functionaries. So that, at no distant period, it may be hoped that "the law's delay" will cease to be a reproach to the Government of India. On the returns we have seen, it appears that about a fifth of the Regular suits had been upwards of twelve months on the file,—a few (87, about  $1\frac{1}{2}$  per 1000) between 10 and 20 years.

The sudden departure from Meerut, of an officer of rank, in rather questionable company, is, we are much afraid, a practical proof that though the power of the Supreme Court has been considerably curtailed, it is still not to be trifled with.

The 4th or Native Troop of the 1st Brigade Horse Artillery, left Meerut for Neemuch on the 1st instant, and Captain Tammings's troop may be expected from Doodseanah about the 18th Nov.

The Singhbloom Force.—Camp Ringho, Singhbloom, 5th Dec.—The troops for service in Singhbloom assembled at Serailkela, on the 30th ultimo, and consist of the 31st regt N. I., the Ramgurn Light



Infantry, with four six-pounders attached, and about 200 of the 5th Local Horse. The detachment under the command of Captain Lawrence advanced from Serakela on the 2d instant, and arrived at this place on the 3d. On the morning of the 4th, about one hour before day-break, the 31st regt. N. I., under the command of Capt. Corfield, marched out on a dour and succeeded in completely surprising the enemy at a place between three and four miles from camp, killing about fourteen and bringing in eleven prisoners; a large quantity of arms, cattle, grain, &c., was also brought into camp or destroyed. One sepoy and a bhectee of the 31st regt. N. I., slightly wounded. Captain Wilkinson, the Governor-General's Agent, and Captain Boyd of the Commissariat Department, accompany the detachment that will advance to-morrow morning.

**Juepoor.**—A quantity of treasure has been discovered in the jungle bordering on Deesa, the property, it is supposed, of the ill-starred Jootu Ram. The Juepoor authorities seized on it with an alacrity which shews no want of energy in them, provided they have to direct it in a certain line.

On 10th Dec., a splendid vessel of 430 tons, was launched from the yard of Mr. James Ambrose at Howrah; she was named the "Anna Maria," and built for Messrs. Biale, Gordon, and Co., after the model of the "Sir Herbert Taylor," combining both the qualifications of capacity and fast sailing. A few minutes after three, the tide being at its highest, she went off in beautiful style. We believe that she will proceed to China immediately after the first opium sale, for which trade she is particularly intended. Her departure, it is supposed, will take place at the same time with "the Clippers" in order to prove her sailing qualities, which are expected, by professional judges, to be of a very superior order.

**The Nizam's Service.**—We are glad to learn, by a letter from an officer in the Nizam's Service, that the order regarding the stoppage of Indian allowances to officers going on furlough from his Highness's Service, has been modified, and they are now permitted to draw their Indian allowances for a month or six weeks, according to their respective distances from the coast, from the dates of quitting their stations. This indulgence is very considerate, as officers thus situated, must keep up their Indian establishments, until they reach the coast.

The recent voyage of the "Windsor," from London to Calcutta, though not so

remarkable as the passages of the "Castle Huntly," and "Barfield," to Bombay in the present year, is nevertheless, worthy of some notice, having occupied but 91 days from land to land. On the 5th Aug., she was off the Lizard,—11th passed Madeira—30th, (26th day) crossed the line having so far averaged 192 miles a day—Sept. 23, passed the Cape—Oct. 23, crossed the line—Nov. 3, got a pilot—in all 91 days, during which she ran 14,272 miles, or 156½ per diem, averaging 6½ miles an hour the whole way. The greatest run was 265 miles on the 2d October: in 35 days, from the 11th Sept. to the 15th October inclusive, the average run was 195 miles a day.—The "Duke of Bedford's" passage has been very little inferior to the "Windsor's."

The twenty new shares advertised for public sale this morning at the Bengal Bank, attracted considerable competition and were knocked down to ten different individuals at prices varying from 5,700 to 5,750 Company's rupees per share, the average being 5731-4; about a hundred rupees above the market price of yesterday. This sale brings 31,625 Co's rupees, to the credit of the bank profits and loss account.

**Brevet-Colonels.**—On referring to the lists of Field Officers of the three Presidencies, we have ascertained that the effect of the order we published yesterday, respecting the rank of Colonel, will be as follows:—Colonel Tickell of the Bengal Engineers, is the junior officer in India, promoted to the rank of Colonel. His commission of Lieut.-Colonel bore date the 9th May 1829. Consequently all Lieut.-Colonels throughout India, whose commissions are dated before that day, will be promoted to Brevet Colonels. Of this class are 23 officers, including two of his Majesty's services at Madras, and five Lieut.-Colonels at Bombay, several of whose commissions will be ante-dated some years. We congratulated the army on this liberal recognition of their fair privileges. Agitation on this point at least has been successful.—The names of the officers promoted at Madras, are, Briggs, Burton, Wahab, C. B. Bell, Conway, C. B., Stuart, Cubbon, Gummer, King, Green, Monteith, K.L.S., Riddell, Trewhman, Evans, C. B., Morrison, C. B., Cullen, Napier, Ogilvie, Home, Marrett, Hillier, Gibson, and Schoedde; and at Bombay Gordon, Barr, Farquharson, Roome and Pottinger.—*Hark. Nov. 18.*

**Demands on the Bengal Military Fund.**—We learn that the Directors of the Military Fund are about to submit several cases to the army. The first, we



believe, is an appeal of the widow of Col. T. C. Watson, from the decision of the Directors of her claim to passage money. The Directors refused her claim on the ground that she is in possession of funds which yield at interest about £80 per annum, exclusive of her pension from the fund, and the amount of passage money for her children received from the Orphan Fund.—The second is the appeal of Lt. W. J. B. Knyvett, for passage money. Lieutenant Knyvett obtained furlough to England for the benefit of his health three or four years ago, and on that occasion received outfit, income allowance, and return passage money from the fund and passage money from Government. But the passage money thus received was lost, by the vessel, the *General Palmer*, putting back from sea, and his medical adviser strongly recommending him to proceed to sea immediately, before the *General Palmer* could be repaired, he was obliged to pay for his passage on another ship.

*Sale of Agra Bank Stock.*—The books for the sale of Agra Bank Stock have closed the entire capital of that institution, consisting of 4,000 shares at 250 rupees each, or 1,000,000 of rupees having been subscribed by the public, who have latterly eagerly pressed forward to secure so safe a means of investment.—An event like this in the state of India Society is an era, on which we can congratulate not only the public, but those who by their unceasing energy and ability have brought it about.

The daily journals of November have published the whole of the correspondence between the Court of Directors and Mr. Curnin. The reply of the former is final and conclusive:—the Court have refused to give their sanction to the plan which Mr. Curnin submitted to them; and he was informed that his appointment at Calcutta would not be kept open for him after the expiration of 12 months from the date of his quitting India.

*Dinapore, 22d. Nov. 1836.*—Brigadier Becher is, we understand, on the look out for the next steamer from Allahabad, on which he intends taking his passage to the Presidency. The Brigadier's departure will be much lamented by all of us; for, independent of his soldier-like qualities and perfect fitness for his important command, he has won our regard by his gentleman-like manners, his hospitality and affability.

Extract of a letter, dated Cawnpore, 22d November:—"The sights at Cawnpore commenced to-day with a field-day, for which the whole of the troops at the

station were called out. The force was drawn up at six o'clock in three lines—one Cavalry and Horse Artillery, and two of Infantry, and received the Commander-in-Chief with the usual honors. The following are the corps which were inspected:—Two troops of Horse Artillery, his Majesty's 16th Lancers, 5th and 7th Native Cavalry, two battalions of Foot Artillery with field batteries, his Majesty's 16th foot, 1st, 2d, 15th, 45th, 47th, 51st, and 71st Native Infantry.

We understand that there was a good deal of fever at Jaulnah towards the latter end of October, but no deaths had occurred amongst the Horse Artillery, although there have been more than a hundred admissions into the hospital. Amongst the Cavalry, the number of sick had been even greater, with some deaths. The 39th regt N I, situated between the Horse Artillery and Cavalry were in perfect health.

The *Hurkaru* mentions a report that despatches are on their way from the Home authorities, which contain a confirmation of the extension of the retiring boon to the officers of the Invalid Establishments of the armies of the three Presidencies.

The *Journal of Medical and Physical Science* mentions a rumour, that the boon, similar to that granted to the army as touching pensions according to length of service instead of rank, has been refused by the Board of Control to the Medical Service.

We learn from the same authority that John Tytler, Esq. has applied to the Honorable Court of Directors for the pension of Superintending Surgeon, and for leave to retire from the service.—D. Harding and H. Cooper, Esqs. are candidates for their retirement on annuities when offered by the fund.

*Reduction in the Civil Service Allowances.*—I dissent from the Bengal Financial Dispatch of the 4th May, No. 27 of 1836, as altered by the Board of Control.—1st, Because no sufficient reason exists or is assigned for the sweeping reductions there ordered to be carried into immediate effect. The Board lay great stress upon the circumstance of the Court having in the year 1830, a period of great financial embarrassment, directed the Bengal Government to revise the allowances of the Civil Service with a view of reducing them to the standard of 1816-17. It must be borne in mind, however, that a subsequent dispatch, dated 10th August, 1834, approved generally of the arrangements effected by the Bengal Government in 1829, with the exception of that part of them which re-



ferred to the "rule of service," and that Government consequently must be under the impression that the question relating to the rate of salaries of the Civil Servants is set at rest, and that there is an end to that excitement of feeling in the service so prejudicial to the public interests, and which the constant agitation of this question must inevitably promote. The dispatch I have alluded to, as well as that under review, before it was altered by the Board, prove that the unexecuted orders of 1830 have not been regarded during the last six years as merely suspended orders, but that they were considered by the Court as virtually cancelled. It must be obvious, that great evils may arise to the public service, if measures although once ordered under a pressing agency having been ultimately abandoned, are suddenly revived without the plea of the most urgent and apparent necessity. Such vacillating and conflicting proceedings must produce the evil so much deprecated in one part of this dispatch, viz. that of unsettling the minds of our Civil Servants and calling their attention away from their public duties. I object, 2dly, because if due regard is paid to the difference in value of the rupee with reference to the rate of exchange and the interest of money existing in Calcutta in 1816-17, and at the present time, it will be found that the salaries of Civil Servants instead of being higher now than at the former period, are at least 30 per cent. below that standard, and by the modifications of the Board will be reduced much lower. I object, 3dly, because the reductions ordered, are partial and impolitic, falling principally upon that class of officers, who fill the situation of Judges and Collectors, the responsibility of whose situations as connected with the administration of justice and the collection of the revenue is perhaps more onerous and important than that of many stations of higher rank and emolument, and I maintain, upon the principle so widely laid down by Lord Cornwallis, that the salaries of their officers in particular ought to be such as to place the holders of them beyond the reach of pecuniary temptation. Finally, I object to this dispatch, because whilst in the 15th paragraph it very properly deprecates frequent changes in the rate of salaries paid to Civil Servants, stating as already observed "that it is most desirable that their minds should not again be unsettled and their attention called away from their public duties," yet the object and tenor of the dispatch are at direct variance, thus ex-

hibiting the most glaring inconsistency. Hence the sentiments must appear insincere—the orders capricious and oppressive—and the effect of both will be to spread despondency and distrust throughout our service in India. I deeply deplore, therefore, that it is determined to forward a dispatch which, in my humble opinion, is fraught with so much evil and injustice.

(Signed) JOHN SHEPHERD,  
—Herkara, Nov. 11.

*Supreme Court.*—In the Supreme Court, on 28th Nov., the Advocate General obtained an order nisi for an injunction, on behalf of Mr. A. C. Dunlop, of Belwah Factory, Beaulah, calling on Messrs. Colville, Gilmore and Co. to show cause why they should not be restrained from selling certain indigo, for which Mr. Dunlop and Messrs. Colville, Gilmore and Co. have jointly made advances, and to restrain them from completing the sale of a factory. The learned Counsel stated, that, as to the indigo, the injunction pressed, the value being about two lakhs of rupees, which amount, unless the injunction issued, would be paid into the hands of Messrs. Colville, Gilmore and Co. this day, and the indigo would be delivered over to the purchaser. The court granted an order nisi, parties at liberty to come in and shew cause in Chambers. The order also to include the appointment of a Receiver.

General Allard is come out in the French corvette "Aube," which arrived 17th Nov. for the purpose of fulfilling his promise to Runjeet Sing that he would return to his Court. But the General now appears in a new character, being invested by Louis Philippe with the honors of an envoy from the French nation.

Expectation has been disappointed with respect to the Prince de Joinville, who was credibly reported to be a Lieut. in the frigate, and whom it was intended to receive as a guest at Government House during his visit to Calcutta; but it turns out, that the young Prince did not join the "Aube," but some vessel (the "Didon" we believe) on service in the West Indies or the Levant.

• Another Civil appointment, announced in the Fort St. George Gazette, that of "Periapalam Rammiah to be an assistant to the Collector of Rajahmundry," has drawn the notice of the *Herkara*.—"What will our *Courier* cotemporary say to this? A Civil appointment, a Native assistant Collector, without a covenant, and without Haileybury College! We are getting on with the pres-



sure from *without*,"—Such is the exulting remark of the *Hurkaru*, who hails every encroachment upon the covenanted service as a sort of victory for the self-styled liberals. Whether the appointment above announced be such, or one of a description corresponding with the deputy Collectorships lately determined upon in Bengal, we have yet to learn. If the former, we should not hesitate to regard it as a moral breach of covenant, unless there be a deficiency in the number of Civilians in the regular Service competent to the duty, and of the particular standing required. We make this exception, because we do not hold that the covenanted service have any exclusive right beyond that of full employment for themselves, with such emoluments as were virtually promised by the long prevalence of the system of Government which invited them out.

Another official notice is remarked upon in the *Hurkaru*—the following in the *Bombay Government Gazette*:—"The Right Hon. the Governor in Council, considering the great benefit which would result to the Agricultural and Commercial interests of the country from an extended production of sugar, and desirous with that view of introducing a species of sugar-cane, of superior quality to that generally cultivated, has been pleased to direct that, from the 1st of Jan. 1837 to the 1st June 1842, no assessment whatever shall be levied on land cultivated with the Mauritius sugar-cane; and that for five years succeeding 1842, only one-half of the usual rent shall be taken on land so cultivated. J. WILLIAMSON, Revenue Commissioner.—Poonah, Nov. 14. 1836."—This is indeed a proof of the interest taken by Sir Robt. Grant in the improvement of agricultural produce in the Bombay presidency. But we must qualify our approbation of the act with an expression of our regret that there is a want of system in these partial local immunities. If such a bonus be proper at Bombay, it should be proper in the Madras territory, and in Bengal likewise, for here too we are yet without the Mauritius or (Otahaiti) Cane in the field; and to induce the Natives to adopt it, or at least to try it extensively, is an object of quite as much importance here as on the western side of India.

Amusement being half the business of life, it must be within the province of our duty to notice those occasions in which festivity most widely spreads its triumphant reign, whether in the halls of a public building, or within the precincts of a private residence. This explanation

will be our apology to Baboo Dwarkanath Tagore for introducing our readers into his elegant mansion on the Dum-Dum road, as it was fitted up and brilliantly illuminated last night for the reception of the Government-house party and a large assemblage of guests, including Sir Edward and Lady Ryan, Sir J. P. Grant, Sir Benjamin and Lady Malkin, Mr. Macaulay and other persons of distinction. Every description of entertainment was provided. French and Italian singing, dancing, fireworks on a grand scale, and a most excellent standing supper, provided in Mr. Wilson's very best style. The cards were issued for eight o'clock punctually, and very soon after eight the music began—the professional singers were Miss Harvey, Mlle. Lemery, Signora Schieroni, Messrs. Fleury, Bonniol and Welter: the piano was in the able hands of Mr. Linton, the principal violin in that of M. Thonon. A celebrated amateur accompanied Signora Schieroni in one duet, and she was accompanied by Miss Harvey in another—the two most delightful performances in the way of music, without disparagement to the more brilliant display of Mlle. Lemery, and the magnificent voice of M. Welter—it is really a source of pride to Calcutta to have produced among its East Indian society so fine a singer as Miss Harvey. The music was twice interrupted by its rival pleasures of the dance and the fireworks. The latter were upon a scale occupying nearly all the large space at the back of the house. Castles, ships, balloons, flower-pots, bombs, serpents, trees, rockets, red and blue fire—every possible variety of the pyrotechnic art was displayed for more than an hour in rapid and extensive succession, without any failure or any unlucky drawback of smoke or an envious moon to spoil the effect—we never saw anything better managed. A great number of natives were in the compound enjoying the tomasha, and the access to the house for some distance along the road was almost blocked up with carachees. The Miss Edens and the rest of the party from Govt. House arrived at about half-past 8 and remained till after midnight.

*The Church Missionary Society.*—The annual Meeting of the corresponding committee of the Church Missionary Society was held on Tuesday evening at the Old Church rooms, and was numerously attended.—The Report contained much evidence of enquiry on matters of religion, a growing desire for distinction, and set forth the responsibility of Christians to supply, as far as they may be



permitted, the spiritual necessities of our fellow men, who are united with us in the same temporal, as well as eternal interests.—It was forcibly stated that pecuniary aid was urgently required, not merely for the extension of Missionary labors, but for the continuance of the work. Many stations requiring school teachers, there being a strong appeal for native chapels, and in several quarters, the necessary support for local institutions was earnestly desired.—There were liberal contributions made by the parties present, and the strong claims of the Society will, we trust be promptly supported by the Christian public.

*Caution.*—It may not be amiss to mention here, as a caution to tradespeople, that during the last two or three weeks, several shop-keepers have been defrauded of articles to a considerable amount, by a person, apparently a female, and of respectable appearance.—The party, we learn, on one or two recent occasions has proceeded in a palanquin to a livery stable, where she has hired a carriage, and been driven to the principal jewellers and milliners in the town. In too many instances she has succeeded in obtaining articles of value, rarely alighting from the carriage, desiring the goods to be brought to the vehicle, and the bill to be taken (as early as convenient, being about to leave Calcutta) to a three-storied house in one of the most respectable quarters of the town.—We hope the police will succeed in apprehending the fair offender, before she makes off with the spoil she has already accumulated.

With the view to encourage a taste for literature and science in this country, Lord Auckland has commenced a series of parties, similar to those of the Duke of Sussex, and of the late Sir Joseph Banks. The first of these was given last night, and, notwithstanding the perfect nature of it, there were, we believe, about two hundred invitations issued, and the rooms were crowded. We hear, it is intended to repeat them every month.

The south-west or drawing-room wing of the Govt. House was tastefully laid out with all the novelties in the arts, in antiquities, and in natural history, that could be readily brought together. On the pier tables of the corridor, leading to the rooms, were disposed very numerous specimens of the plants now in flower at the Botanical Garden, each ticketed with its classical name.—On entering the ante-room, a very splendid collection of insects was seen displayed on the tables, and against the walls, in convenient cabinets: the newest addition to these,

(which comprised a portion of Dr. Pearson's and of the Asiatic Society's cabinets) was the donation of Mr. George Loch of the Civil Service, to the Asiatic Society, at a recent meeting. A fine collection of shells just received from his Excellency the Governor of Ceylon, was distributed on the side tables of the principal saloon.—In an adjoining apartment were selected fragments of the rich and highly curious Buddhist sculpture, discovered by Captain Cunningham, and lately presented to the Asiatic Society. On another table the last discovery by Dr. Spilbury, the socket of the thigh bone of an elephant from the rock at Segounee, whence Captain Sleeman first brought to light the fossils of the Nerbudda valley. By its side were placed the femur of a modern and of a fossil elephant (the latter of an animal fifteen feet in height) to shew that the present socket must from its curvature, have belonged to a still more monstrous animal!—On the round tables of the drawing room were spread out numerous beautiful drawings—of Mr. Hodgson's *Nipal Zoology*,—of Dr. Cantor's collection of Indian Snakes,—of Dr. McClelland's *Assamese Zoology*,—and all the drawings sent in to the Committee of the Melville Library. In other convenient spots were displayed a wax magnified model of the human ear, stuffed objects of natural history, and models of Mahy praws, &c.—After the company had severally made the round of these objects, their attention was drawn to the table which Professor O'Shaughnessy had prepared for the exhibition of his very ingenious model of the application of the late galvanomagnetic discoveries to the practical attainment of a working power.—It would be impossible here to describe all the construction of this curious wheel—a number of horse-shoe magnets of soft iron, with wire coiled round them, were arranged on its spokes so as to present their poles successively in rotation before the poles of a more powerful magnet, (also artificial) fixed on a stand at the side; the wires of the several wheel magnets were conducted in a manner not readily seen, so as to dip in mercurial cups into which were dipped the two wires of a small galvanic battery; on charging the latter, rotation ensued, and by a contrivance, as each revolving magnet arrived at the fixed magnet, its poles were instantaneously reversed so as to cause repulsion, while the next magnet above was attracted. We hope to see a full account of the Professor's successful adaptation when his apparatus is matured.



The model worked with 10 oz. power.—The converse of the problem, or the development of a galvanic force from the ordinary magnet, was then exhibited on an adjoining table, by a beautiful apparatus belonging to Mr. James Prinsep—water was decomposed by the magnet; a candle was lighted by it: and an electric shock was administered to many of the spectators, among whom the native gentlemen in particular, betrayed considerable astonishment at its effects.—At the close of the evening, refreshments were partaken of in the marble hall, and the guests retired at half past eleven, apparently much pleased with the novel entertainment prepared for them by their illustrious host.

*Supreme Court.*—There occur in our observations in page 477, on the salaries to be enjoyed in future by the officers of the Supreme Court, sundry inaccuracies, and one grand error, which is that none of the salaries are guaranteed by Government. The plan now adopted, is solely attributable to the judges of the Supreme Court themselves. The Government only sanction, they do not guarantee; the Government is a wise Government and a cautious—and abstains from all unnecessary responsibility. The system, as now introduced, is formed upon an average of three years, the inferior offices, are remunerated pretty much after the same rates, as under the old system. The superior, and more responsible, offices are, as will be seen, very much cut down under the new system; and almost the whole onus, of the saving to the suitor falls upon the superior offices of the Court.

Former Averages.	Sa. Rs.
Master and Accountant Genl. . . . .	60,000
Equity Registrar . . . . .	54,000
Ecclesiastical Registrar . . . . .	100,000
Prothonotary . . . . .	26,000
Clerk of the Crown . . . . .	16,000
	<hr/> 2,56,000
New System.	Co.'s Rs.
Master and Accountant Genl. . . . .	•
Equity Registrar . . . . .	66,000
Ecclesiastical Registrar . . . . .	66,000
Prothonotary and Clerk of the Crown . . . . .	24,000
	<hr/> 1,66,000

The other offices are under the new system, paid as we stated yesterday; the Examiner in Equity gets 30,000 Co.'s Rs. These salaries are to endure only during the continuance in office, of the present incumbents. The maximum

salary after the present incumbencies cease is to be 54,000 Co.'s Rs. At present, it is undecided, whether the Ecclesiastical Registrar, shall be paid by fixed salary, or by commission calculated at the same average; ultimately the number of offices will be reduced from about forty to fifteen, of which there will be four principal offices only. The remaining portion of the number being interpreters, pundits, judges, clerks, &c., &c.—The saving, at present, is about 30 per cent.—The ultimate saving will, we are told, when the present system is in full operation, amount to about fifty per cent.—Three years is a fair period to allow for the system coming into full operation.—The Clerk of the Crown and Prothonotary is, at present, remunerated in the salary of 24,000 Rs. per annum; the Clerk of the Papers at 22,000. These details are now correct.

We lament the death on 12th Dec., of Charles Barwell, Esq., of the Civil Service—a gentleman greatly esteemed by a very large circle of friends.

The members of the Calcutta Hunt, of which body for many years he was a distinguished ornament, have, we observe, in token of their regret for the loss of their brother sportsman, abstained from their usual pastime during the week.

*Civil Employment for Military Men.*—We now proceed to notice the *Courier's* remarks of the 22d ult. in which he deprecates our position that, in the recent appointment of a military man to an office of Revenue and Police, there is subject for gratulation: he speaks moreover, of vested rights and the absence of reciprocity. We shall essay a reply on both these heads, and in so doing, must advert to certain other particulars, which appear to have escaped our intelligent contemporary, in his anxiety to defend an exclusive service. We mean the *maxima felicitas* principle, the welfare of the people, which, whatever the *Courier* may hold to the contrary, we take to be the first object of all conscientious Governments. We shall endeavour to prove, first, that the people would gain materially by the employment of qualified military men in certain civil situations; secondly, that the army would profit materially by such employments; and lastly that the civil service, as a body, would itself benefit by the system. We fear we must go rather more into detail than is convenient, but the importance of the subject must be our excuse. It is necessary, moreover, while we advocate the army's cause, that we be not misunderstood by the civil service. We are far



from wishing to transfer all civil appointments to the army. We only wish to see military men eligible for certain civil appointments, the nature and extent of which we shall presently explain. In order that our position may be the more correctly understood, and that no possibility may exist for misconception, we have framed a list of the appointments at present confined to the civil service only, of those confined to the military service only, and of those which are open to the ambition of persons in either service indiscriminately. The appointments, which have hitherto been considered open to the civil service only, are the following:—1. Council at Madras and Bombay.—2. The Revenue, Finance, General and Judicial Secretaries to Government.—3. All Judicial Officers superior to the grade of Principal Sudder Ameen including Registers, Assistant Judges, Zillah Judges, Session ditto, Circuit ditto, and the Sudder Adawlat.—4. All appointments in the Revenue department in settled districts, except the office of dep. Collector.—5. Magistrates of Police, except at the Presidency.—6. Customs Collectors and dep. Collectors.—7. The Treasury, and all officers of Finance or Civil Account or Stamps; and Boards of Revenue and Customs.—8. Opium Agents above a certain grade.—9. Salt Agents ditto ditto.—10. Post Master General.—The appointments, open to the army only, are the following:—1. All appointments purely military.—2. The Military Secy. to Government, and Military Secretary to Governor General, Governor or Commander-in-chief.—3. All appointments in the civil branch of the Military department, such as the Survey, Judge Advocate, Mil. Auditor, Mil. Board, Commissariat, Ordnance, Engineers and Pay departments,—or that of Barracks, Public Buildings, or Embankments and Tanks.—The appointments, open to either service indiscriminately, are:—1. The Council of India.—2. Political Secretary to Government.—3. Residents at Foreign Courts.—4. Political Officers of every grade.—5. Department for Suppression of Thuggee.—6. Commissioner, Collector, and Asst. ditto in districts not deemed to be Regulation Provinces.—7. Justices of the Peace.—8. Dep. Post Masters.—9. Superintendent of Police, Presidency.—10. Mint Master and Assay Master.—11. Private Secy. to Governor Genl. or Governor.—12. All Government Commissions or Committees, Member or Secy.—It will be observed,

that there are eight distinct classes of appointments (not including opium and salt agents, which are peculiar to Bengal) to which the civil service are alone usually considered eligible: there are three distinct classes of appointments confined to the military service; and there are twelve others, including some of the highest offices in India, which are open to the ambition of either service. Now, the first question we would beg to put to the *Courier* is, whether the charge of incapacity has been generally preferred against those military men who have filled the offices included in this last list—nay, more, we would ask if the very highest meed of praise has not often been accorded to men so employed—if many of the most distinguished characters in Anglo-Indian history have not been these very individuals? And if such be the case, if some of the ablest political residents and diplomatists, some of the clearest-headed and most active commissioners in provinces, not regulation ones have been soldiers—may we ask why they should not prove equally efficient in regulation provinces? If soldier-commissioners have been a blessing to the inhabitants of wild and unsettled districts, while living; if when no more their memories are revered and cherished in such districts; is it likely that the same men would not have been equally beloved in a calmer or more settled sphere, or that they would have there proved less signally efficient? We cannot believe it. But, perhaps, the *Courier* will not deny the efficiency of military men in such employ, in which case we need say no more on this portion of the subject. In respect to purely judicial employ we think it perfectly correct that those appointments should remain in the civil service, their numbers be materially increased, their salaries retained at the highest standard, and the minds and habits of their holders formed by a thoroughly judicious and judicial training—a measure whose importance has hitherto been little appreciated in India, as it ought to have been. One of the most material evils of the existing system is the continual transfer of civil servants from one branch to the other in the service, and which transfer proceeds on the supposition that previous judicial training is not necessary for the judgment seat. The principle of promotion to the Bench in India is discordant. That is, while in Bengal they promote a highly efficient Revenue Collector to be a Session Judge—in Madras



they make a civil servant a Judge, because he is not fit to be a Collector, just as in America they promote to the Bench one who cannot earn a subsistence as a Barrister. We do not mean invariably, but it is melancholy to think how frequently such is the case; and whenever a Collector has placed his district in irretrievable disorder, he is removed to the judgment seat in a Zillah or Circuit Court! He might, it is true, in such a position ruin an individual or hang an innocent person; but, then, Government would not suffer—the Judge cannot injure the Revenue, and in Madras, Revenue is the first consideration. This principle was established about 20 years since, and has ever since been vigorously retained. The system may sound horrible enough to an English ear, yet has been openly avowed and practised—and ably, yet of course sophistically, defended in India. We have no wish whatever to see any judicial office thrown open to members of the army: we think a soldier-judge is only one degree worse than soldier-jurymen, and both out of place in a civil community; while with the Treasury, Finance, Civil Accounts, Customs or Stamps, Soldiers need have no concern. Those departments should, therefore, remain in the Civil Service; and opium and salt also, as at present, for exclusiveness should naturally direct a monopoly. We know, however, no reason why the Genl. Post Office should always be superintended by a Civil Servant. The Post Master General is somewhat more the servant of the public than he is of the Government, and as such we think efficiency should be selected wherever procurable, and at the most moderate remuneration; for it is from the direct tax of postage paid by the people that the salary of the Post Master General is defrayed; and if a military officer will conduct the duty for 1500, as well as a civil servant for 4000 rupees a month, it is clear that the postage may be reduced in Bengal alone 30 000 rupees a year, to say nothing of the minor Presidencies. One half of the Post Masters in the provinces are now military men, and we think the head of this department at the Presidency might well be open to the army.—*Hurk.* Dec. 1.

In our last we recorded our sentiments respecting the employment of military men in the general and judicial branches of the service. We now proceed to consider the revenue and magisterial, which form by far the most important portion of the subject.—If we understand the na-

ture of a Collector's duties, more especially when connected with magisterial functions, they simply require temper, knowledge of the language, character, and habits of the people, a kindly manner, an active mind and frame of body, and plain, sound sense. These, added to a knowledge of the regulations and the ordinary official routine, and, of course, supported by perfect integrity, are all we believe that are required to form a highly efficient collector; and those qualifications, unless we err greatly, may be found in every regiment in the service, in the proportion of at least one officer, if not of more, which proportion alone, would furnish in the three Presidencies upwards of 200 candidates. But it is not so much in the mere Revenue Department, as in the magistracy, that we think the services of military men may be made so eminently useful. It is there especially we would see them employed. The main evil of the existing system of conducting the police, is the prodigious extent of jurisdiction allotted to a single magistrate,—thus heaping upon a single head more than any individual can possibly perform. The result is inevitable. There is, there must be, misrule. It is not the fault of the man,—far from it, but of the system under which he serves,—a system which exacts impossibilities! It should not be forgotten by the ruling powers, that the depredations of war are easier obliterated than the horrors of misrule; that the mischiefs inflicted by an external foe are more readily remedied and forgotten than those of internal mismanagement. It is vain to set about improving the character of the Darogahs and peons, until they can be efficiently and numerously supervised by European agency. The multiplication of magisterial offices, at salaries proportionate to those now enjoyed by the Civil Service—to any thing like an adequate extent, we believe impracticable; for even the savings that might result from the recent iniquitous retrenching mandate, would not, we believe, half cover the amount required; but by employing military men who will work as zealously and effectively, and consider themselves well paid on salaries not exceeding one-third, of what is requisite for a civil magistrate, we do think much might be done, and should like to see the experiment fairly tried; if only in justice to the inhabitants, over whom the British power is set to rule. Let the Governor of Bengal take the very worst and most disturbed district. Let him partition it into four portions, and nominate three military



magistrates on a staff allowance of 400 rupees a month (the allowance of a regimental Commandant) and a general Superintendent on 500 rupees (the allowance of a Brigadier) in each case, of course, in addition to their regimental pay. Let him select three active, intelligent Subalterns of not less than seven years service for the Magistrates, and a Captain, or Subaltern of twelve years service, as Superintendent. Let him give the scheme a fair trial for three years, and at the end of that period make an honest comparison of the present and the past. If the plan shall have worked well, let it be extended; if ill, let it be abolished, and some other scheme be substituted. The whole four military officers will only cost as much as a single civil magistrate, so that expense cannot be urged as an objection to the scheme. —Our assumption, that military officers would thus be found highly efficient, receives strength from the fact, that it is to the military we are chiefly indebted for the suppression of Thuggee. We do not mean that some of the civil service, Messrs. Smith, Stockwell, Wilson, &c. have not aided in the good work; but in this one department the energies of the civil service generally have not equalled those of their military co-adjutors. It is however, but justice to state, that this may be partly accounted for from the circumstance, that for a long time the actual extent of Thuggee atrocities was unknown, or at any rate certainly disbelieved in the Reg. Provinces, and that the overworked magistrates had more direct interest in preventing and detecting crimes committed near home, than in searching after wretches who restricted their atrocities to distant lands. The civil servant, moreover, already enjoyed a permanent office, and knew that he must succeed in time to a better one; his position was fixed, his character was well established, his energies, therefore, could not be quickened by self interest, as those of the young soldier must be, who had to fight his way up the ladder of advance, and to establish a character and position, to which his mere army rank could of course alone not entitle him. And the civil servant thus wanted that great personal spur to extra exertion, which the soldier could not but feel. — We should here explain, that we are far from desiring to see all revenue situations filled by military men; but we should like to see some few reserved as rewards for efficient conduct in conducting the police. The energies of men may be excited by fears, but they should

also be fed by hopes,—and the prospect of still higher advance, would naturally heighten the zeal of the military magistrates, or at least prevent that zeal from relaxing.—It is generally admitted, that the retention of a monopoly in the 19th century depends solely on one of two circumstances: either that it cannot be abolished on account of the revenue it produces, or that it is supposed to be more conducive to the general weal than any other system. It is on this latter principle that the civil service is maintained—because, it is believed to be far better to have such service to select from generally, than to leave the Governor-General unshackled to select from hungry followers, or needy dependants, and thus permit him to prostitute office in India to party purposes in England. But in order to maintain the existing system of the civil service, it is necessary that that service be kept at the maximum of efficiency, in order to put down cabal and disarm the malignant. It was on this principle Lord William established the merit-fostering system. Right or wrong, now matters little, that scheme has failed, and other means must therefore be devised to draw forth and sustain the best energies of the civil service. We believe, high pay will not suffice alone; we are doubtful how far certainty of employ and advance is found to answer. We are willing to believe that emulation will be found far more effectual, and we know no mode in which that emulation can be so excited, as by the occasional introduction of a military interloper of talent within the precincts of the exclusive class. The energies of the soldier would naturally be excited by his new position. The energies of his civil contemporaries would be excited. They would not like to be beaten out of the field by an interloper, and from the two energies thus induced by concurring causes, the public service would be essentially the gainer.—*Ibid*, Dec. 2.

*The Jeypore Trials.*—Trial of Hoo-kum Chund, Jotha Ram, and Futih Lal. Thursday, 4th August, 1836.—At a few minutes past nine o'clock, A. M., the members of the Court are all present, and the prisoners being introduced, are asked whether they have aught more to say in their own behalf. Jotha Ram replies that he expects to-day, to be confronted with Deewan Umur Chund, as proposed by him in his address read yesterday: is answered that circumstances render it impracticable that the Deewan should be called before the court as a witness at the present period



but that he has heard read a statement of the Deewan regarding the note found among his papers, and the court are fully apprised that the latter denies all knowledge of the document in question.—Hookum Chund is desirous of adding something more to his written defence, but it appearing, on explanation, that his object is to write an invective against the court, he is told that this cannot now be permitted.—The two prisoners above-named, are loud and vehement in the utterance of various exclamations and remarks, thrown out at random and destitute of coherence and propriety; and as it is manifest that they have in reality nothing more to urge of a defensive nature, they are requested to retire, and are conducted out of the court, followed by Futih Lal.—The hall is now cleared, and the members of the court are left to themselves to deliberate upon their verdict. After consultation of about half an hour's duration, the following judgment is given and recorded before the two political officers whose re-attendance had been requested:—Verdict of the court—With reference to all the evidence that has been brought forward in the course of this trial, and adverting to the nature of the defence, fraught with subterfuge and falsehood, with which the case for the prosecution has been met; the court are of opinion that the charges preferred

against the prisoners, Hookum Chund and Jotha Ram are established; and that there can be no doubt with respect to their having participated in and abetted a conspiracy, directed against the existing Juepooree Government, in execution of part of the plans of which were perpetrated, in the city of Juepoor, the outrages and crimes of the 4th of June 1835, and the court do accordingly—being unanimous—pronounce the two prisoners, Hookum Chund and Jotha Ram, guilty, and sentence them to suffer the penalty of death.—With respect to the third prisoner, Futih Lal, who has not made any separate defence, nor attempted, in any way, to sever his own cause from that of his uncle—the court adjudge him to be guilty of both the charges exhibited against him, conjointly, with Hookum Chund; but, taking into consideration the peculiar circumstances of his situation, and his youth, which is such as to render it probable that much was concealed from him, and that he was not entrusted with a full knowledge of matters of a perilously important nature; they award him the comparatively lenient sentence of undergoing imprisonment for the term of five years.—Counter-signed. (Signed) A. SPEIRS, Political Agent. (Signed) C. THORESBY, Political Agent.

#### Government Securities, Dec. 20.

	To buy.	To sell.
First or old 5 per cent. loan 1st class	0 13 prem.	8 par.
Second 5 per cent. loan according to the number from 1200 to 15,240	$\frac{1}{2}$ to 4 per cent. prem.	
Third or new 5 per cent. loan	4 0 pm.	3 8 pm.
5 per cent. transfer loan or 1835-36	14 8	13 8
Old or first 4 per cent. loan	1 10	1 12 dist.
Second ditto	1 8	1 14
Third ditto	1 4	1 8
Bank of Bengal Shares (new)	1700 0 pm.	1600 0 pm.

Buy.

Course of Exchange.

Sell.

Sh. D.	Sfr. D.		Sh. D.	Sfr. D.
Sa. Rs. 22 $\frac{1}{2}$ a 2 23		{ On London and Liverpool at 6	Sa. Rs. 23 $\frac{1}{2}$ a 2 4	
Co.'s Rs. 23 $\frac{1}{2}$ a 2 1 $\frac{1}{2}$		{ mths sight and 12 mths date	Co.'s Rs. 2 1 $\frac{1}{2}$ a 2 2	
Sa. Rs. 93 0 0 a 93 8 0		{ Bombay 30 days sight, per	Sa. Rs. 90 0 a 92 0	
Co.'s Rs. 99 3 2 a 99 11 8		{ 100 Bombay Rs. . . . .	Co.'s Rs. 96 8 a 98 2 1	
Sa. Rs. 93 0 0 a 93 8 0		{ Madras ditto per 100 Madras	Sa. Rs. 90 0 a 92 0	
Co.'s Rs. 99 3 2 a 99 11 8		{ Rupees . . . . .	Co.'s Rs. 96 0 a 98 2 0	

#### CIVIL APPOINTMENTS.—Oct. 11, 2d

Lieut J. D. Cunningham of Engineers to superintend the building of the Palace at Moorsheadabad, under the direction of Col. D. Macleod—12, Mr E. J. Harrington to act as Post Master General for Mr. Sidons, on leave—Mr. H. T. Raikes to be Magistrate and Collector of Jessore, vice Brownlow, whose appointment has been cancelled on account of ill health—Mr W. M. Dixon to officiate as Magistrate

and Collector of Rajeshahy vice Raikes, until further orders—18, Mr. A. C. Heyland to officiate until further orders as Magistrate and Collector of Rajeshahy—Mr. C. Garstin to officiate for Mr. C. Phillips as civil and session Judge of Jessore, during his absence—Asst Surg. K. M. Scott to perform the medical duties of Gawalparah as well as Gowahttee, during the absence of Mr. Hunter—26, Mr H. P. Harrison, writer, attached to the



Bengal Presidency, is reported qualified in two of the Native languages—29, Mr G. J. Gordon to officiate as a Commr. of the Court of Requests during the absence of Mr. C. W. Brietzke—Nov. 1, Mr. J. M. Brander, M. D., Civil Asst. Surgeon at Pooree, to continue in charge of his present duties until the 1st Jan.—7, Mr. J. M. Brander, M. D., is appointed to the medical duties of the Indore Residency—14, Mr. A. Jackson to be Principal Sudder Ameen in Zillah Dinagepore—Mr L. J. H. Grey to be an Asst under the Commr. of revenue and circuit, of 13th or Bauleah division—15, Mr W. Dent re-appointed to be civil and session Judge of Shahabad—Asst Surgeon T. W. Burt to perform the medical duties of the civil station of Chittagong, vice O'Dwyer—Asst Surg R. W. Wrightson doing duty with the Troops at Akyab, authorized to take also the civil medical charge of that station from 6th May last, in the room of Dr. Waugh—Mr. J. R. Hutchinson to officiate as a Judge of the Courts of Sudder Dewanny and Nizamut Adawlut, in the room of Mr T. C. Robertson—23, Mr J. Paton is appointed Asst in the office of Supert. of Stamps, for authenticating Stamp Papers—29, Mr R. P. Nisbet to be civil and session Judge of Moorshedabad, vice Mr E. M. Gordon—The following officers have been appointed deputy Collectors for the investigation of titles to hold land free from the payment of revenue:—Mr William Tayler, in Zillahs Burdwan, Hooghly, Beerbhoom, and the deputy Collectorate of Bancoora—Mr G. A. C. Plowden in Zillahs 24-Pergunnahs, Nuddea, and Moorshedabad—Mr W. P. Goad, in Zillahs Rajeshahye, Dinagepore, and Rungpore, and the deputy collectorates of Bogra and Pubna—Mr. F. Lowth, in Zillahs Jessore and Backergunge—Mr M. W. Carruthers, in Zillah, Dacca, in addition to his present jurisdiction—Mr F. J. Morris, in Zillah Shahabad, vice Mr B. J. Colvin; officiating, likewise, as deputy Collector of the same class in Zillah Sarun, and to be permanently vested with the duty in both districts, on the departure of Mr. Quintin on furlough—Mr R. N. Farquharson to officiate in Zillah Patna—Mr E. G. Ravenhaw to officiate, until further orders, as Magistrate and Collector of Burdwan, in the room of Mr Tayler—Mr J. A. F. Hawkins to be session Judge throughout the jurisdictions of Captains Ramsey and Lewis, Assts to the General Supert. for the suppression of Thuggee, for the purpose of trying the persons committed by those officers—Mr B. J. Colvin to be joint Magistrate and deputy Collector of the

Southern div. of Cuttack—Mr F. Skipwith to be joint Magistrate and deputy Collector of Burdwan—Mr D. J. Money to be joint Magistrate and dep. Collector of Midnapore—Mr E. H. C. Mouskton has been authorized to exercise the powers of joint Magistrate and deputy Collector of Backergunge—Mr F. B. Kemp ditto, ditto, in Bulloah—Bahou Roupchand Bhose to be deputy Collector in Zillah Malda, under the provisions of Reg. IX. of 1833—30, Lieut J. S. Phillips is appointed to the charge of the Revenue Survey of Pergunnah Buldakhul in Zillah Tipperah—Mr W. Bracken is appointed dep. Collr. of Sea Customs at Calcutta vice Walker prom—Dec. 3, Mr W. J. H. Money to officiate, until further orders, as Magistrate and Collector of Zillah Tipperah—5, Captain Thoresby, 66th N I, Political Agent in Shekawuttee, is placed under the orders of the Hon. the Lieut-Governor of the North Western Provinces—6, Mr A. Smelt to officiate until further orders, as additional Judge of zillah Burdwan—Mr J. Staniforth to officiate until further orders as civil and session Judge of Backergunge—Mr A. F. Donnelly to officiate until further orders as Magistrate and Collector of Midnapore—Mr G. W. Battye to officiate until further orders as joint Magistrate and deputy Collector of Malda—Mr. C. Tottenham to be joint Magistrate and deputy Collector in Bulloah—Mr A. C. Bidwell to be deputy Collector for the investigation of titles to hold land free from the payment of revenue in zillah Sylhet, officiating likewise as deputy Collector of the same class in zillah Tipperah, and to be permanently vested with the duty in both districts, on Mr Bruce's promotion—Mr H. C. Metcalfe to be joint Magistrate and deputy Collector of Sylhet—Mr A. C. Heyland to officiate until further orders as civil and session Judge of Rajeshahye—Mr R. Hampton to officiate as joint Magistrate and deputy Collector of Rajeshahye—Mr R. W. Maxwell, civil and Session Judge of Backergunge, has been authorized to deliver over charge of his office to Mr H. Staniforth, the Magistrate and Collector of that district, who will conduct the current duties of the office of civil and session Judge until further orders—10, Mr E. Deedes to officiate until further orders as joint Magistrate and deputy Collector of Baraset in the room of Mr G. W. Battye—12, Mr T. R. Davidson to officiate until further orders, as Commissioner of revenue and circuit of the 11th or Patna division, taking immediate charge from Mr C. Tucker of the current



duties of the office—13, Mr W. Blunt, officiating special Commissioner under Regulation III. of 1828 for the Moorsheadabad division, to deliver over charge of his office to Mr T. H. Muldock on the 15th instant, to be held by that officer until further orders—Mr N. A. Halded to be a Judge of the Courts of Sudder Dewanny and Nizamut Adawlut vice Mr C. R. Parwell, *dec.*—Mr R. Mucan to officiate as civil and session Judge of Burdwan, during the absence of Mr J. Curtis, or until further orders—Mr E. C. Ravenshaw to officiate until further orders as additional Judge of Burdwan—Mr F. Skipwith to officiate as Magistrate and Collector of Burdwan, in the room of Mr Ravenshaw—Mr G. Adams to officiate as joint Magistrate and deputy Collector of Burdwan until further orders—Mr J. S. Torrens to officiate as joint Magistrate and deputy Collector of Pubna until further orders—Baboo Hurnahunder Bose to be deputy Collector under Regulation IX. of 1833 in zillah Beerbhoom—Mr R. T. W. Betts, deputy Collector under Regulation IX. of 1833 in Jessore, is transferred from that zillah to Burdwan—Mr Asst Surgeon J. Wood appointed to perform the medical duties of the civil station of Gowalpora, vice T. C. Hunter—Mrs C. Mackay to be Sudder Ameen in zillah Dinagepore, vice Mr A. Jackson promoted—Mr C. C. Hyde to be Salt Agent of 24 Pergunnas and Jessore—Mr R. Walker to be Collector of Govt Customs at Calcutta.

**CIVIL APPOINTMENTS BY THE GOVT OF AGRA.**—Oct. 5, Mr R. C. Glyn to officiate as Commr of Revenue and Circuit of 1st or Meerut division, vice Hutchinson on leave—Mr G. F. Franco to officiate as civil and session Judge of Meerut—Mr P. C. Trench to officiate as Collector and Magistrate of Mozaffernagar—10, Asst Surgeon M. S. Kent is appointed to the medical charge of the Southern division of Moradabad, the appointment to take effect from 11th July—Nov. 9, Mr W. De H. Routh to officiate as Magistrate and Collector of Delhi—Mr J. L. M. Lawrence to officiate as Magistrate and Collector of South div. of Delhi territory—Mr C. Cubbins to officiate as joint Magistrate and deputy Collector of Rohtuck—Mr A. Fisker to officiate as Magistrate and Collector of North division of Delhi territory—11, Mr A. Shank is appointed as deputy Collector for the purpose of preparing, investigating, and determining in the first instance cases under Reg. II. of 1819—IX. of 1825, and II. of 1828, within zillah Goruckpoor—14, Mr R. N. C.

Hamilton to officiate as civil and session Judge of Delhi and to make over charge of his present office of Officiating Magistrate and Collector of Meerut to Mr T. J. C. Plowden—21, Asst Surgeon D. Gullin to take charge of the medical duties of the civil station of Shahjehanpore—23, Mr H. W. Deane to officiate as Collector of Banda—25, Mr H. S. Ravenshaw to exercise the powers of joint Magistrate and deputy Collector, N. D. Delhi territory—26, Mr A. P. Currie to officiate as Magistrate and Collector of Humnerepore—Dec. 2, Asst Surgeon J. W. Knight is appointed to the medical charge of the civil station of Bijnour or North Moradabad—5, Captain Hon J. B. Dalzell to deputy Postmaster at Agra, vice Hay resigned—Mr S. S. Brown to officiate as Mag. and Collector of the W. div. territory—Mr H. Rose to officiate as Magistrate and Collector of Sahewan—Mr R. H. S. Campbell, to officiate as joint Magistrate and deputy Collector of Furruckabad—Mr E. F. Tyler to officiate as joint Magistrate and deputy Collector of Muttra—Mr A. U. C. Plowden to exercise the powers of joint Magistrate and deputy Collector of Allyghur—Mr J. Materny to exercise the powers of joint Magistrate and deputy Collector at Meerut.

**FURLOUNDS.**—Messrs. H. B. Brownlow, W. Wilkinson, E. I. Harrington, C. Phillips, W. Blunt, to the Cape—Mr R. Neave—Mr K. Murchison—Mr W. St. Q. Quintin—Mr E. Deedes—Mr W. S. Alexander—Mr J. K. Ewart—Mr H. Nisbet to the Cape—Mr R. Williams to the Cape—Mr H. Lushington—Mr G. H. Cameron to the Cape.

#### GENERAL ORDERS.

Fort William, Financial Department, 5th Oct. 1835.—Notice is hereby given, that under instructions from the Hon. the Court of Directors dated 1st June last, proprietors of notes of the 6 per cent. remittable loan, who transferred their stock into the Government transfer loan opened by advertisement in this department, under date 13th Oct. 1834, and subsequently on the book debt loan being opened under orders from the Honorable Court, re-transferred their stock into that loan, will be entitled to have effect given to the second transfer, as if the notes had not previously been subscribed to the Government transfer loan, that is, from the date advertised for the discharge of the original 6 per cent. promissory notes: such persons also as gave notice in England of their intention to accept the terms tendered in the notices published by the Honorable Court of Directors under dates



the 14th May and 17th September 1834, but whose stock had been transferred by agents or trustees in India to the Government loan of 13th Oct. 1834, and still remains in that loan, shall, on now transferring the same to the book debt loan, be entitled to have the interest on their stock adjusted as follows.—Up to the date when the six per cent., promissory notes were to be discharged under notice duly published, at 6 per cent. on the amount principal of such promissory notes, and from that date at 5 per cent. on the said principal amount increased by the bonus of 5 per cent. thereon, according to the conditions of the loan.—Published by order of the Right Hon. the Governor General of India in Council.

Fort William, Legislative Department, 10th October, 1836.—The following Act passed by the Right Hon. the Governor General of India in Council on the 10th Oct. 1836, is hereby promulgated for general information:—Act No. XXIV., of 1836.—I. It is hereby enacted, that the officers who, in the Regulations of the Presidency of Fort St. George, are designated as Native Judges, and Native Criminal Judges, shall, from the 1st day of Nov. 1836, be designated as Principal Sudder Ameens.—2. And it is hereby enacted, that from the said 1st day of Nov. 1836, the officers who, in the Regulations of the Presidency of Bombay, are designated as Native Judges, shall be designated as Principal Sudder Ameens; and the officers who, in the said last mentioned Regulations, are designated as Principal Native Commissioners, shall be designated as Sudder Ameens, and the officers who in the said last mentioned Regulations, are designated as Junior Native Commissioners, shall be designated as Mooniffs.—3. And it is hereby enacted, that from the said first day of Nov. 1836, no person whatever shall, by reason of place of birth, or by reason of descent, be incapable of being a Principal Sudder Ameen, Sudder Ameen, or Mooniff, within the territories subject to the Presidency of Fort St. George, and of Bombay.—4. And it is hereby enacted that every British born subject of the King, or descendant of such British born subject, who shall be appointed a principal Sudder Ameen, Sudder Ameen, or Mooniff, in the territories subject to the Presidency of Fort St. George, or of Bombay, shall, in respect of all suits done by him, as such Principal Sudder Ameen, Sudder Ameen, or Mooniff, be liable to the same proceedings, as well criminal as civil, and shall be amenable to the jurisdiction of the same tribunals, as if he

were not of British birth or descent.—5. And it is hereby enacted, that from the said 1st day of Nov. 1836, no person shall, by reason of place of birth, or by reason of descent, be excepted in any civil proceeding from the jurisdiction of the Assistant Judges in the territories subject to the Presidency of Bombay.—The following Draft of a proposed Act was read in Council for the first time on the 10th October, 1836.—Act No. —, of 1836.—It is hereby enacted, that the provisions of Regulation IV. of 1831, of the Madras Code, shall be extended to all grants whatsoever, continued, confirmed, or authorized by the British Government.—Ordered, that the said Draft be re-considered at the first meeting of the Legislative Council of India, after the 27th day of Nov. next.

Fort William, Legislative Department the 14th November, 1836.—The following acts passed by the Right Hon. the Governor General of India in Council, on the 14th Nov. 1836, are hereby promulgated for general information, Act No. XXIX. of 1836.—I. It is hereby enacted, that from the 1st day of Dec. 1836, it shall be competent to the Court of Sudder Adawlut of Fort St. George, with the sanction of the Governor in Council, to augment or diminish at discretion, the number of Sudder Ameens within that Presidency.—II. And it is hereby enacted, that such parts of any of the regulations in force as authorize the registers of the zillah Courts and Sudder Ameens within the Presidency of Fort St. George, to receive any fee or commission for judicial duties performed by them, be repealed. Provided always, that this rule, shall not be construed to prohibit the receipt of fees for the registry of deeds.—I. Act No. XXX. of 1836.—I. It is hereby enacted, that whoever shall be proved to have belonged, either before or after the passing of this Act, to any gang of Thugs either within or without the territories of the East India Company, shall be punished with imprisonment for life with hard labor.—II. And it is hereby enacted, that every person accused of the offence made punishable by this act, may be tried by any court which would have been competent to try him if his offence had been committed within the Zillah where that Court sits, any thing to the contrary in any regulation contained notwithstanding.—III. And it is hereby enacted that no Court shall, on a trial of any person accused of the offence made punishable by this Act, require any *Palswa* from any law officer.



Fort William, Judicial and Revenue Department, the 11th October, 1836.—The Right Hon. the Governor of Bengal has been pleased to resolve, that all medical certificates granted to civil officers employed in the provinces, under which they propose to proceed to the hills without visiting the Presidency, [in which latter instance the necessity of the case will be certified by a member of the medical board,] must be countersigned by the Superintending Surgeon of the division. It will rest with the Governor to admit of exceptions to the strict observance of this rule in cases of great emergency, or when attendance upon the Superintending Surgeon would be hazardous or extremely inconvenient to an officer in a very delicate or precarious state of health.

Judicial and Revenue Department, 29th November, 1836.—The following rules passed on this date by the Right Hon. the Governor of Bengal, are published for general information:—The Right Hon. the Governor of Bengal has been pleased to resolve that article five of the rules regarding applications for leave of absence, by Principal Sudder Ameer, Sudder Ameer, and Moonsiff, passed by Government on the 29th of January, and published in the Gazette of the 2d of February 1833, shall be extended to Deputy Collectors under Regulation IX. of 1833, and that all officers of that class, absent from their station, on leave, for whatever period, or from whatever cause, shall suffer, during the period of their absence, a deduction of one-half of their respective allowances.—As an exception to this rule, Deputy Collectors, in common with the judicial officers above named, will be exempted from any deduction from their salaries for absence on leave duly authorised within the period of the usual Dusserrah and Mohurram vacations. But, if their absence exceed the term of those vacations, they will then be subject to the deduction above specified, for the whole period of absence, including the vacations.—These rules will have retrospective effect with regard to all cases awaiting the orders of Government.

The Right Hon. the Governor-General of India in Council, under the powers conferred upon him by the 3d section of the Act 6th and 7th William IV. cap. 26, is pleased to appoint and direct, that it shall be lawful to import into any of the districts, provinces, and places herein under-mentioned, foreign sugar, or sugar the growth of any British possessions, into which foreign sugar can be legally

imported,—and to except the same from the operation of the prohibition contained in the said clause of the said Act, viz.:—1st. The settlements of Singapore, Malacca, Prince of Wales' Island, and their respective dependencies.—2d. The settlements of the Tenasserim coast.—3d. The Province of Arracan, with its dependencies, the Islands of Ramree and Cheduba.—By order of the Right Hon. the Governor-General of India in Council.

MILITARY APPOINTMENTS, PROMOTIONS, CHANGES, &c., from 15th Oct., to 27th Dec. 1836.—Captain H. Carter 73d regt to officiate as Agent for Family Money and Paymaster of Native Pensioners at Barrackpore during the absence of Lieut H. Boyd or until further orders—8th L. C., Captain G. A. Kemp-land to be Major—Lieut F. Tweedale to be Captain—Cornet C. Wollaston to be Lieut, vice Spiller *dec.*—Super Cornet W. G. Prendergast is brought on the effective strength of the Cavalry—68th regt N I—Ensign E. P. Grimes to be Lieut from 23d Sept. 1836, in room of Lieut J. T. Harwood dismissed—Major C. Graham to officiate as dep Principal Commissary of Ordnance during the absence of Captain E. P. Gowan to the Cape—Mr R. H. Alexander appointed Cadet, and promoted to the rank of Ensign—Ensign R. Hill, 4th N I, to act as Interp and Quarterm. to 31st N I, during the absence of Lieut Milner, or until further orders—Lieut J. W. Robertson of Engineers is directed to join the Head-quarters of the Sappers and Miners at Delhi—Lieut H. H. Duncan attached to 11th or Meerut division to relieve Captain J. T. Boileau, Executive Engineer of the 8th or Bareilly division of Public Works as a temp. measure—Captain T. Warlow, Garrison and Executive Engineers, Delhi, is appointed to the command of the corps of Sappers and Miners—Asst Surgeon J. Innes, M. D. to be Surgeon, vice Clarke *dec.*—The services of Lieut J. S. Phillips are placed at disposal of the Government of Bengal for the purpose of being employed as Surveyor of Pergunnah Buldakhal in Zillah Tipperah—Lieut G. Gordon, 50th regt N I, is appointed to the command of the Resident's Escort at Cutch—Asst Surgeon R. Christie who was temp. attached to the Nepal Residency has been placed at disposal of Commander-in-chief—Lieut J. Gilmore removed from the situation of Executive Engineer, Rangurh division, and placed at disposal of Commander-in-chief for performance of regt duty with the corps of Sappers



and Miners—The district order, appointing Captain J. Hay, 35th regt N I to officiate as Major of Brigade is confirmed as a temp. arrangement—Capt. P. Craigie, 1st Asst Adjt Genl is appointed dep Post Master at head-quarters—The division orders directing 2d Lieut J. R. Western to proceed to Bhurtpore, and to place himself in communication with the Asst to the Agent of Governor Genl, for the States of Rajpootanah, with a view to his employment in surveying bunds, and Asst Surgeon F. Malcolm to the medical charge of 57th N. I, are confirmed—The regtl. order directing Captain G. A. Mee to continue to perform the duties of Interp. and Quarterm. to 58th N I, is confirmed as a temp. arrangement.—2d N I, Lieut J. Shaw to be Interp and Quarterm.—Captain W. M. N. Sturt, 10th regt N I, to be Major of Brigade in Oude, vacant by the departure of Captain T. Bolton, with his corps the 17th N I, in furtherance of the general relief—Lieut F. V. McGrath is promoted to the rank of Captain by Brevet—Asst Surgeon J. Anderson temp attached to the Civil Station of Beerkhoom, is placed at the disposal of the Commander-in-chief—Major G. W. Mosley to be Lt-col, vice Cobbe *dec.*, with rank from 8th Oct. 1836, vice Galloway promoted—38th regt N I, Captain W. Aldous to be Major—Lieut T. C. Wilton to be Capt—Ensign W. Kennedy to be Lieut—68th regt N I, Ensign B. Boyd to be Lieut from 13th Nov. vice Jennings dismissed—Brigadier C. H. Churchill, commanding the station of Cawnpore, is placed at disposal of the Commander-in-chief—Colonel H. Oglander, H. M.'s 26th foot, is appointed a Brigadier during the absence of Brigadier Churchill from the Cawnpore command, or until further orders—11th regt N I, Lieut F. B. Todd to be Capt—Ensign W. Lydiard to be Lieut, vice Kennedy retired—Lieut J. Bartleman, 44th regt N I, to be 2d in command of the Mhairwarrah local batt., vice Anderson resigned—Lieut J. Anderson of Engineers, Asst to the Supert. of the Doonab Canal, to be Ex Engineer of the Ranghaur division of Public Works, vice Gilmore—Lieut J. L. D. Sturt to be Asst to the Supert. of the Doonab Canal vice Anderson—The Station order placing the services of Asst Surgeon W. L. McGregor, M. D. at disposal of Political Agent, at Loodeanah, is confirmed—L. W. Eur. regt, Lt W. Shortreed to be Captain—Ensign D. Seaton to be Lieut from 15th Nov. 1836, in succession

to Marshall retired—55th N I, Lieut W. Freeth to be Captain—Ensign W. G. Horne to be Lieut from 1st Dec. in succession to Welland retired—72d N I, Lieut P. Abbott to be Captain—Ensign H. J. Michell to be Lieut from 1st Dec. 1836, in succession to Stewart retired—Captain G. S. Lawrenson to act as Asst Adjt Genl for the regt of Artillery during the absence of Captain Cartwright, or until further orders—Captain J. Jervis, 5th N I, to officiate as Paym. of Native Pensioners at Meerut and Haupper during absence of Captain Hoggan—52d N I, Lieut F. Moore to be Captain, vice Ellis *dec.*—60th N I, Capt C. Fitzgerald to be Major—Lieut W. Riddell to be Captain—Ensign G. P. Whish to be Lieut in succession to Dickson retired—22d N I, Captain C. H. Hamilton to be Major—Lieut W. Stewart to be Captain—Ensign J. D. Macpherson to be Lieut, vice Robb retired—Super. Cornet T. T. Tucker brought on effective strength of Cavalry, vice Hanmay *dec.*—7th N I, Lieut T. W. Oldfield to be Adjt, vice Worsley promoted—25th N I, Ensign J. Clarke to be Quarterm. and Interpreter.

**REMOVALS AND POSTINGS.**—Ensign R. F. Fanshawe to do duty with the 9th regt N I—Ensign J. F. D'E. W. Hall to do duty with 72d regt N I—Ensign C. Alexander to do duty with 70th regt N I—Cornet F. W. S. Chapman from the 6th to the 9th regt L. C, vice Cornet S. F. Macmullen, from the latter to the former, each entering his new corps as the junr of his rank—Ensign G. E. Nicolson from 67th to the 30th regt N I—Brigadier Genl C. Brown, C B, to the command of the Benares division—Brigadier Genl Sir T. Axbury, Kat C B, to the command of the Sangor division—Col. J. Nesbitt to the 43d regt N I—Lieut-colonel A. Galloway from 55th to the 6th regt N I—Lieut-col. S. Watson to the 55th regt N I—Lieut-col. P. Brewer from 64th to 69th regt N I—Lieut-colonel D. Crichton from the latter to the former corps—Ensign H. Young from 27th to 63d regt N I—Ensign W. T. Wilson from 52d to 58th regt N I—Asst Surgeon R. W. Wrightson is posted to Arracan local batt. but will continue with 40th regt N I, until further orders—Captain C. Dallas, new promotion, on staff employ, to 4th comp. 4th batt. Art—1st Lieut F. Brind, from 4th troop 2d brigade, to 1st troop 3d brigade Horse Art—1st Lieut G. T. Graham from 2th comp, 7th batt to 1st comp. 4th batt Art—1st Lieut C. R. Mills, on staff



employ, from 1st troop 1st brigade to 1st troop 3d brigade Horse Art—1st Lieut A. M. Seppings, doing duty with the Assam I. I., from the 1st comp 4th batt to the 8th comp 7th batt Art—1st Lieut R. E. Knatchbull, from 1st troop 3d brigade to 4th troop 2d brigade Horse Art—1st Lieut J. Innes, new promotion, on furlough, to 3d comp 4th batt Art—2d Lieut D. Reid, proceeding on furlough, from 4th comp 5th batt to 4th comp 4th batt Artillery—2d Lieut T. Bacon (on furlough, from 3d comp 7th batt to 2d troop 1st brigade Horse Art—2d Lieut R. Warburton, Acting Quarterm., to 6th batt) from 1th comp 4th batt to 4th comp 5th batt Art—2d Lieut H. E. L. Thuillier, brought on the strength, to the 5th comp 7th batt Art—Super 2d Lieut C. Douglas doing duty at Cawnpore, to proceed to Agra, and do duty with 4th comp 4th batt—Surgeon E. J. Yeatman, M.D., from the 27th to 11th regt N I—Asst Surgeon W. Stevenson, senior, to 1st regt N I—Asst Surg. J. S. Sullivan from 51st to 4th regt N I—Asst Surgeon B. Wilson, from 31st to 10th regt N I—Asst Surgeon E. H. Allingham, from 63d to 21th regt N I—Asst Surgeon W. O. H. McHeyne to 26th regt N I—Assistant Surgeon S. M. Griffith to 34th N I—Asst Surgeon J. S. Sutherland to 60th regt N I—Lieut-col H. Burney, on staff employ, from 70th to 19th regt N I—Lieut-colonel J. H. Titterton from 19th to 70th regt N I—Lieut-colonel J. Anderson, on furlough, from 8th to 39th regt N I—Lieut-colonel T. S. Oliver from 39th to 8th regt N I—Cornet M. J. Turnbull to do duty with 8th regt L.C. at Sultanpore, Benares—Ens. E. Forbes to do duty with 9th regt N I, at Barrackpore—Ensign S. H. J. Davies to do duty with 51st regt N I, at Dinapore—Surgeon M. Powell is removed from 64th to 54th N I—Cornet E. Pattison to do duty with 5th L.C. at Cawnpore—Ensign G. W. Alexander to do duty with 70th regt N I, at Barrackpore—Ensign F. M. Baker to do duty with 9th regt N I, at Barrackpore—Ensign G. M. Prendergast to do duty with 50th regt N I, at Dacca—Cornet M. J. Turnbull to do duty with 5th L.C. at Cawnpore instead of with the 8th regt—Asst Surg. J. Colvin, M.D. from the 38th to 55th regt N I, at Chittagong—Asst Surgeon F. W. Clarrbutt from 55th to 38th regt N I—Asst Surgeon J. V. Leese from 41st to 10th regt N I, at Barrackpore—Asst Surgeon B. Wilson from 10th to 41st regt N I—Ensign A. P. Phayre 7th regt N I, doing duty with the Assam I. I.—Asst Surgeon W. B. Davies is appointed to do duty with the Assam I. I., batt—Asst

Surg D. Gullan is removed from 14th and posted to the 59th N I—Ensign J. E. Gastrell to do duty with the 9th regt N I at Barrackpore.

**RETURNED TO DUTY.**—Major R. C. Macdonald—Captain W. H. Wake—Lieut W. C. Carter—Lieut E. Wall—Colonel J. Cock—Major J. Davies—Major R. Home—Captain G. R. Crawford—Surg F. J. Yeatman, M.D.—Capt J. Allen—Captain J. R. Ripley—Capt A. T. A. Wilson—Lieut W. Broadfoot—Lt C. McF. Collins—Lt G. Tyler—Lieut D. Bamfield—Ensign H. M. Becher—Surgeon N. Maxwell, M.D.—Surgeon W. Mitchelson—Surgeon P. Canuthers—Surgeon J. Duncan.

**FURLOUGH.**—Lieut T. James—2d Lieut D. Reid—Lieut H. Boyd to China—Captain G. A. Smith—Captain W. H. Halford—Lieut G. W. Bishop—Surgeon D. Harding—Lt I. Wilcox—Lt R. Hill.

**PREPARATORY TO FURLOUGH.**—Captain J. T. Doleau—Captain G. F. Holland—Lieut W. P. Milner—Lieut A. R. J. Swinton—Lieut-col P. Brewer—Lieut W. Maier—Asst Surgeon J. Duacan, M.D.—Captain W. Mackintosh—Ensign S. W. Butler—Lieut W. Land-sny—Lieut J. S. Boswell—Lieut G. B. Tremeneheere—2d Lieut W. H. Delamain—Cornet V. F. T. Turner—Ensign F. H. Hawtrey—Lieut H. C. Reynolds—Lieut H. S. Gimes.

**RETURNING FROM THE SERVICE.**—Captain W. Foley, 10th regt N I—Asst Surgeon W. E. Watson—Major A. Dickson, 60th regt—Captain W. P. Welland, 55th regt N I—Captain F. Welchman, 58th regt—Captain J. Marshall, Eur. regt—Captain N. Stewart, 72d N I—Captain T. E. Soady.

**QUALIFIED IN THE NATIVE LANGUAGES.**—Lieut G. O'B. Otley—Lieut J. Coke—Ensign J. Clarke—2d Lieut G. Kirby—Cornet F. J. Harriott—Lieut H. Marsh—Ensigns H. P. Budd—J. Chambers—J. Duncan—J. Morrieson—J. D. Fergusson—J. W. Morrieson.

**KING'S TROOPS.**—The Commander-in-chief has been pleased to make the following promotions until H. M.'s pleasure be known—9th foot, Lieut G. A. Tytler, from 13th foot, to be Lieut, vice Deane who exchanges—13th foot, Lieut W. Deane from 9th foot to be Lieut, vice Tytler as above—19th foot, Lieut D. Macandrew to be Captain without purchase, vice Otter dec.—Ensign J. H. Daniell to be Lieut, vice Macandrew promoted—49th foot, Captain T. Codrington has leave to proceed to England for two years—The Commander-in-chief has been pleased to make the following



promotion, by brevet, in the East Indies only—41st foot, Lieut Tallan to be Capt from 1st Nov. 1836—Pending H. M.'s pleasure: 9th foot, Ensign Cubit from 6th foot to be Ensign, vice Ballard promoted—16th Lancers, Lieut Guest has leave to England for two years from date of embarkation—26th foot, Lieut Seccombe has leave to England for two years on medical certificate—17th foot, Major Romney intends to retire on half pay, and has leave to proceed to England for one year.

GENERAL ORDERS.

No. 225 of 1836.—The following paragraphs (1 and 2) of a military letter from the Hon. the Court of Directors, to the Governor General of India in Council, No. 8, dated the 6th July 1836, are published for general information:—"Para. 1. We have the satisfaction to acquaint you that, in compliance with our request, the General Commanding-in-Chief has expressed his concurrence in the suggestion made in your letter of the 29th May 1835 (No. 59) that on every occasion requiring it, the Brevet conferring the rank of Colonel on all Lieut.-Colonels of the same Presidency senior to those who obtain that rank regimentally, shall be made to extend throughout India, instead of being limited as at present to a particular Presidency.—2. You will accordingly take immediate measures for granting the Commission of Colonel to all Lieut.-colonels of whatever Presidency who may be senior, as such, to any Lieut.-colonel attaining the rank of Colonel regimentally, with such dates of rank as shall maintain in their relative seniority with each other as Lt.-cols.

No. 217 of 1836.—The following paragraphs (1 and 2) of a military letter, No. 36, from the Hon. the Court of Directors to the Governor of the Presidency of Fort William in Bengal, dated the 29th June 1836, are published for general information:—"Reply to a letter, dated 26th Sept. 1837—Report of the circumstances under which in consequence of his absence without leave, Cornet Hepburne, of the 5th cavalry, has been suspended from the functions of his commission, and from pay and allowances until the Court's decision upon his case shall be known.—Para. 1. Since his arrival in this country Cornet Hepburne has submitted to us a detail of the pecuniary circumstances which he states incapacitated him from proceeding to join his regiment: and has apprized us that, should he be permitted to return to his duty, he is now enabled to do so free from debt.—2. Upon a review of all the circumstances of Cornet

Hepburne's case, we have resolved, that he shall remain suspended from pay and allowances until his return to Bengal; but in the hope and belief that the evils entailed upon him by his imprudencies, will have produced entire amendment of conduct, that his suspension be removed, and he be restored to his regiment, without prejudice to his rank and standing, from the date when he shall report himself at the Head Quarters of the Army. This Resolution is dependent upon his immediate return to his duty."

Dec. 7.—Before leaving Cawnpore, his Excellency the Commander-in-Chief deems it his duty to express to Brigadier Genl Stevenson, C.B., Brigadier Churchill, and the commanding and other officers the non-commissioned officers and soldiers of the several corps which he has seen at that station; and also to Brigr. Beecher, commanding the Dinapore div. and the officer commanding the Benares div. and to the corps generally which he has had opportunities for inspecting on his route from Calcutta to Cawnpore, his approbation of their appearance, their equipment, and their discipline in the field.—He has found the condition of the horses of the Horse Artillery, and the Cavalry excellent; and evincing proper care and attention.—He has observed with much satisfaction the zeal and assiduity with which preparations have been made to present the several corps to his review to the best advantage; and he has great pleasure in bearing testimony to the display of these meritorious qualities on the part of the officers, and to the favorable results which they have produced. They have been alike creditable to themselves and beneficial to the service.

Fort William, Nov. 14th 1836.—No. 226 of 1836.—The following paras. (1 to 5) of a military letter, No. 9, from the Hon. the Court of Directors, to the Governor Genl of India in Council, dated the 27th July 1836, are published for general information and future guidance in regard to the promotion of Lieut.-cols of the Indian Army to the rank of Colonel:—"Para. 1. Having had under our consideration the present system of promotion to supply regimental vacancies in the rank of Col. we have resolved that promotions shall hereafter be made in the following manner, viz.—2. The senior Lieut.-colonel of the Infantry on the Bengal establishment shall, immediately on the occurrence of a vacancy as Colonel of a regiment in that arm of the service in Bengal, be promoted to the rank of Colonel, and all Lieut.-cols of the armies of the three Presidencies who are senior to him as such, shall be



promoted in consequence to be Brevet-colonels.—3. A Lieut.-colonel of the Infantry on the Madras or Bombay establishments, or of the Cavalry, Artillery or Engineers, at any one of the three Presidencies, for whom there may be regimental vacancy as Colonel, shall succeed immediately to that rank, provided he is the senior Lieut.-colonel of the three establishments but not otherwise.—4. Lt.-colonels of Infantry of the Madras and Bombay Armies, and Lieut.-colonels of Cavalry Art. and Engrs. of the three Presidencies, not being seniors as Lieut.-colonels in India, who may succeed by seniority to the command of regiments, to be denominated Lieut.-colonels Commandant, their promotion to the rank of Colonel being suspended until their seniors of the Bengal Infantry shall have been promoted to the rank of Colonel.—5. Such officers will nevertheless succeed to all the advantages and emoluments to which they would have been entitled if promoted to the rank of Colonel."

Head-Quarters, Camp, Allahabad, 3d Nov., 1836.—At a general court-martial, held at Mrow, on the 2d day of Sept., 1836, Lieutenant William Jennings, of the 68th regt. N.I. was arraigned on the following charge.—Charge:—For conduct highly unofficer-like, and incompatible with military discipline, in having, by drunkenness, induced an attack of delirium tremens, thereby disabling himself from the performance of his duty as subaltern officer of the day, on the 10th of July, 1836, the same being a repetition of similar misconduct on the 30th April, the 22d May, the 6th and 7th July 1836.—Finding and Sentence:—The court having maturely weighed and considered all that has been adduced in support of the prosecution, as well as what has been brought forward on the defence, are of opinion, that the prisoner, Lieut. William Jennings of the 68th regt. N.I. is guilty of the charge preferred against him; and they do, therefore, sentence him, the said Lieut. William Jennings, to be dismissed the service. Approved. (Signed) H. PANE, General, Commander-in-chief, East Indies.—Allahabad, 29th Oct., 1836.—The prisoner to be paid up and discharged, on the promulgation of the sentence at the head-quarters of the 68th regt.

MARRIAGES.—Oct. 2, at Saugor, Ens W. Egerton, 2d N.I. to Mary Anne, 2d daughter of J. Tronson, Esq.—3, at Gowahatty, Mr R. Ford to Mrs E. Joseph—6, at Saugor, Captain M. Smith to Margaret, 2d daughter of Brigadier Genl. Smith, commanding the Saugor division

—at Landour, Lieut D. F. Evans, 16th N.I. to Theophila, 2d daughter of Major E. Gwatkin—8, at Dinapore, Mr T. W. Fitzroy to Mrs A. Havell—13, Mr G. Bonniol to Miss A. Modone—15, Mr A. G. Aviet to Miss E. Avdall—19, Mr J. E. Bruce to Miss C. Pote—21, Mr John Lowrie to Miss Jane Cooper—Mr W. McCluskie to Miss A. A. Bowler—22, Mr A. S. Snyder to Miss A. F. D'Cruz—29, Mr J. J. de Silva to Miss M. Juhana—Nov. 14, at Dinapore, Mr. W. Wattell to Miss E. Havell of Deegah—15, W. Matthews, Esq. to Caroline, eldest daughter of the late E. W. Horne, Esq.—16, Mr H. J. Joakim to Miss C. Scott—17, at Meerutt, T. C. Plowden, Esq. C. S. to Frances, only daughter of the late A. S. de Mocadel, Esq.—18, Mr J. D'Gruz to Miss E. De Compos—25, at Cawnpore, Mr W. Gee to Miss R. A. Greenway—26, Mr A. Mendes to Miss E. Robison—Mr D. Gomes to Miss C. Rodrigues—28, H. Chapman, Esq. to Priscilla, daughter of E. Wakefield, Esq.—Captain R. D. H. Macdonald, 8th regt L. C. to Mary, eldest daughter of J. H. Crawford, Esq. Bombay C. S.—at Sultanpore, Lieut T. Moore, 8th L. C. to Isabella, 3d daughter of the late J. J. Hoag, Esq. medical service—Dec. 1, Lieut J. P. Merk, H. M.'s 49th regt, to Mary, 2d daughter of the late Lieut-col Francis—7, D. W. McKinnon, Esq. Madras Army, to Arrabella, eldest daughter of F. Hamilton, Esq.—12, A. C. Ranney, Esq. 25th N.I. to Louisa, eldest daughter of H. M. Pigou, Esq. C. S.—Rev. Mr Rudd to Matilda, daughter of the late Captain Rainy—13, E. B. Ryan, Esq. to Emily, youngest daughter of the late G. Udny, Esq.

BIRTHS.—Sept. 18, at Jhossar, the wife of Overseer J. Woodward of a son—21, at Mussoorie, the lady of R. N. C. Hamilton, Esq. of a son—27, Mrs C. Fordyce of a daughter—29, at Bareilly, the lady of Lieut J. Brind of a daughter—Oct. 7, at Moorshedabad, the lady of A. Kean, Esq. M.D. of a son—8, the lady of C. R. Barwell, Esq. of a son—9, at Mussoorie, the lady of Major J. Jenkins, H.M.'s 11th L.D. of a daughter—10 at Tirhoot, the lady of Jas. Cooper, Esq. of a son—at Ghazepore, the lady of E. P. Smith, Esq. C.S. of a daughter—at Chittagong, the lady of G. C. Plowden, Esq. C.S. of a daughter—at Baitool, the lady of Captain P. Seaton 66th N.I. of a son—12, Mrs A. Mercado of a daughter—the lady of Captain J. Taylor of a daughter—13, the lady of G. E. Hudson, Esq. of a son—at Shergotty, the lady of Mr W. F. Lethbridge of a son—at Noacolly, the



lady of T. Bruce, Esq. C S. of a son—at Kishnagur, the lady of J. A. Deverell, Esq. of a son—14, the wife of Mr P. H. Thomas of a daughter—15, Mrs T. Botelho of a son—16, at Dacca, the lady of G. Loch, Esq. C S. of a daughter—17, the lady of Lieut-colonel J. Canfield, C B., of a son—at Jumalpoor, the lady of Lieut N. A. Parker 58th N I, of a son—18, at Serampore, Mrs C. Kiernan of a son—19, the wife of Sub-conductor W. Deare of a son—the wife of Mr. J. D' Cruze of a daughter—at Delhi, the wife of Mr E. Parsons of a daughter, who died on 21st—20, Mrs Castello, senior, of a daughter—the lady of R. Woolridge, Esq. of a son—at Goruckpoor, Mrs M. D. Augustin of a son—at Cherra Poonjee, the lady of the Rev. A. B. Lish of a daughter—21, the lady of R. H. Snell, Esq. C S. of a daughter—22, the lady of W. Masters, Esq. of a daughter—23, at Saugor, the lady of Captain A. R. Macdonald of a daughter—at Barrackpoor, the wife of Land-master J. Reivitt of a daughter—24, the lady of A. St. L. McMahon, Esq. of a daughter—the lady of W. Turner, Esq. of a son—26, at Bheerbhoom, the lady of H. Chapman, Esq. Asst Surgeon, of a son—27, Mrs W. W. Glass of a daughter—the lady of A. F. Smith, Esq. of a daughter—the lady of H. Borradale, Esq. Bombay C S. of a daughter—the wife of Mr C. Stone of a daughter—the lady of J. W. Sage, Esq. C S. of a daughter—28, at Purneah, Mrs E. W. Johnson of a son—29, the lady of F. Dashwood, Esq. of a son—Mrs H. Smith of a daughter—at Barrackpoor, the lady of Dr. Row, 73d N I, of a son—31, at Benares, Mrs J. Nesbitt of a daughter—Mrs M. D' Silva of a son—Nov. 2, the lady of Captain E. C. Athlax H. M.'s 4th regt, of a son—3, Mrs F. Rebeiro of a daughter—the lady of Capt. R. Rayne of a son—4, the lady of D. M'Farlan, Esq. of a son—5, Mrs C. P. Chater of a daughter—at Burdwan, the lady of Rev. T. Weibrecht of a son—at Berhampore, the lady of Captain N. Lowis 63d N I, of a daughter—7, at Bhowanipore, the wife of Mr. J. Cordozo of a son—at Berhampore, the lady of J. M. Deverinne, Esq. of a daughter—8, at Shahjeehanpoor, Mrs G. Gaunione of a son—11, at Meerut, Mrs R. McAuliff of a son—at Juxar, the lady of Captain A. C. Spottiswoode of a daughter—15, at Barnet, the lady of G. Dattye, Esq. C S. of a son—16, the wife of Mr T. Beckett, of a daughter—17, at Agra, the lady of B. Hodgson, Esq. of a son—17, at Numeerabad, the lady of Captain Latouché of a daughter—19, at Allahabad, the lady of Captain Watt,

deputy Asst Comm Gen., of a son—20, at Nursingpoor, the lady of Lieut G. P. Thomas of a son still-born—21, at Allahabad, the wife of Mr J. W. Casabon of a daughter—22, at Benares, the lady of Lieut C. C. Pigott 18th regt, of a daughter—24, the wife of Mr M. Roberts of a daughter—25, the wife of Mr F. X. Herriques of a son—26, at Pooree, the lady of J. M. Brander, Esq. M D. of a daughter—at Meerut, the lady of Lieut Speedy H. M.'s 3d Buffs of a son—29, the wife of Mr. T. Black of a son—Mrs W. West of a daughter—Dec. 1, Mrs H. Wickins of a son—3, at Eck-delsa Factory, the lady of G. Wise, Esq. of a son—7, at Saugor, the lady of Major J. B. Hearsey of a daughter—the lady of Captain R. J. H. Birch of a son—the wife of Mr J. Weaver of a son—8, the wife of Mr D. W. Hill of a son—Mrs S. Smith of a son—9, at Berhampore, the lady of R. Hill, Esq. 4th regt, of a son—10, the lady of J. Irving, Esq. of Canton, of a son—15, the lady of Lieut F. Samler, 10 regt N I, of a daughter—17, the wife of Mr. P. Neuville of a daughter.

DEATHS.—Aug. 18, at Raajeeppore, W. Ball, Esq. Indigo Planter—Sept. 10, at Masuo, Hon. E. Boecke—24, at Mussoorie, John, son of Mr Proby—28, at Mussoorie, T. Louis, Esq. C S.—at Kurnaul, Henry, son of Mr H. Tapsell—Oct. 3, at Allahabad, Mrs Sophia Blyth—5, at Delhi, Charles infant son of Capt. H. Craigie—6, at Landour, Capt. Milne H. M.'s 11th L D—10, at Mussoorie, the infant daughter of Lord Henry Gordon—the infant son of Mr J. Catano—11, at Ghazeeppore, George infant son of Mr T. Threpland—12, Mr. G. Jessop—Mrs C. De Rozario—Lavinia, infant daughter of Lieut J. D. Young H. M.'s 4th regt—13, at Berhampore, Geo. Meyer, Esq.—Caroline, wife of Mr W. Baxter—at Dhanapore, Owen, son of Captain J. C. Tudor—11, Mr Alex. Humphry—Catherine, wife of Mr J. D' Cruz—at Chinsurah, Mr G. Robinson, Steward of H M's 9th foot—16, Jane, wife of Mr R. Kiermauder—at Chinsurah, Lieut E. S. A. W. Wade—Eloaue, infant daughter of Mr. T. Oatell—at Moulmein, Mr D. Vandockum—17, George, son of Mr. Joseph D' Cruz—18, Augusta daughter of E. H. Barwell, Esq.—20, Catherine, wife of J. H. Aratboon, Esq.—Anne, wife of Mr. W. Coin—22, Isabella, wife of Mr J. De Abreu—23, Mrs C. E. D' Rozario—Captain C. Robinson—Mr W. De Cruz—21, at Moradabad, Julia, daughter of Mr H. L. C. McCutchan—29, at Burdwan, the infant son of F. Skipwith Esq. C S.—Mr John Davis, of ship "Republie"



—30, Mr G. De Rozario—31, William, youngest son of Mr G. E. Smith—*Nov.* 3, Maria, infant daughter of Rev. J. Weitbrecht—5, Caroline, wife of Mr V. Rees—9, at Meerut, the wife of Mr W. Synnot—at Shimjeehaupore, the infant son of Mrs G. Giannise—11, at Mussoorie, J. Clarke, Esq—13, at Bhowanipore, Cecelin, 2d daughter of Mr J. H. Miller—at Meerut, John, infant son of Mr McAuliff—14, at Saheswan, Harriet, infant daughter of G. H. M. Alexander, Esq. C S—18, Mr J. Davis—19, Augusta, wife of R. Barlow, Esq. C S—21, the infant daughter of Mr M. Roberts—25, Mr R. George—27, Mr. R. J. Barwell son of A. C. Barwell, Esq—Mr B. Moorcell—29, at Berhampore, the infant son of Capt. Goldney—*Dec.* 1, Mrs M. Mendra—5, Mr T. Vallace—9, at Patna, Marian, wife of R. N. Farquharson, Esq. C S—12, Mr C. Davenport—Mrs E. White—Mrs M. Harding—C. R. Parwell, Esq. C S—13, Mr D. Albert—15 at Kishnagar, T. L. Lindsay, Esq.

### Madras.

**Goomsoor**—The Goomsoor force broke ground from Newgaum on the 20th ult. and ascended the Ghauts in three columns by different routes. Five posts have been occupied commanding all the country of the Koonds where the crops are nearly ripe. Two more commanding situations were about to be taken up by four companies of the 6th regt. when the force above the Ghauts will consist of the whole of the 49th regt, two companies of the 3d, six of the 6th, and all Bann's horse. One column under Lieut-col Alves, accompanied by the Commissioner, ascended by a Ghaut that had not been explored, and arrived at Calangga, the northernmost position, at a little before noon; another column ascended from Moogeguddah, by Doorpingy, up the Pass to Cooranchghia, with the division H. Q.'s, and arrived at the last mentioned place about ten o'clock. A party of rebels were posted at a breastwork rather more than half way up the pass, and fired upon the advance. The position, however, was gained without difficulty, and with the loss of a single sepoy; some camp followers were wounded and a horse killed. A third column, consisting of two complete companies of the 6th, commanded by Captain Reid with Capt Campbell, the assistant collector accompanying, marched direct from Berhampore through Soorada to the southern extremity of the Koond country by another Ghaut. The question of peace

or war with the unhappy Koonds was not determined by the latest accounts we have seen. If the chiefs gave up Dora Bissoye and two or three others it was understood that the country would not be molested, otherwise the crops would have to be destroyed, and a war, the consequence of which it is painful to dwell upon, would be the result.—*Madras Courier*, Dec. 8.

From the India Review of works on science, and Journal of Foreign Science and the Arts, embracing Mineralogy, Geology, Natural History, Physics, &c.

### *Electric Shock from a Sheet of Paper.*

—Place an iron japanned tea tray on a dry, clean beaker-glass, then take a sheet of foolscap writing-paper, and hold it close to the fire until all its hygrometric moisture is dissipated, but not so as to scorch it; in this state it is one of the finest electrics we have. Hold one end down on a table with the finger and thumb, and give it about a dozen strokes with a large piece of India-rubber from the left to the right, beginning at the top. Now take it up by two of the corners and bring it over the tray, and it will fall down on it like a stone; if one finger be now brought under the tray a sensible shock will be felt. Now lay a needle on the tray with its points projecting outwards, remove the paper, and a star sign of the negative electricity will be seen; return the paper, and the positive brush will appear. In fact, it furnishes a very good extemporaneous electrophorous, which will give a spark an inch long, and strong enough to set fire to some combustible bodies, and to exhibit all the electric phenomena not requiring coated surfaces. If four beaker glasses are placed on the floor, and a book laid on them, a person may stand on them insulated; if he then holds the tray vertically the paper will adhere strongly to it, and sparks may be drawn from any part of his body, or he may draw sparks from any other person, as the case may be, or he may set fire to some inflammable bodies by touching them with a piece of ice.—I beg to remain, yours, &c.

—*Madras Her.* Nov. 9. G. DAKIN.

We observe by the following notice from the Civil Auditor's Office, in the Fort St. George Gazette of this morning, that the pruning knife is to be applied to plum-trees in the public offices in the civil department, unless good cause can be shown to the contrary.

Fort St. George, Civil Auditor's Office, Dec. 16, 1836.—All heads of public offices in the civil department, at the Presidency, and in the Provinces, are



requested to forward to this office at their earliest convenience, a statement of such persons as hold two or more situations in the office, drawing the salaries attached to each, exhibiting their names, and the salary of each, with explanation as to the nature and necessity of such pluralities.

A. D. CAMPBELL, C. A.

We heard yesterday of accounts having been received from home, to the effect that Walter Elliot, Esq. of the Madras civil service, will accompany Lord Elphinstone to India as his private secy.—*Madras Courier*, Nov. 29.

*Madras Insurance Company*.—An insurance office to be designated "The Madras Insurance Company" is to be established at Madras, with a capital of five lakhs—to be divided into one hundred shares of 5,000 rupees each. The proposal we understand is likely to be well supported, the principal merchants having already become subscribers.

**CIVIL APPOINTMENTS.**—Nov. 1, Mr M. D. Lockburn to be Judge and crim. Judge of Malabar, vice Nelson (to Europe);—Mr J. F. Bury to be an Asst to principal Collector and Magistrate of Malabar—Captain J. J. Underwood Super. Eng., Presidency div., to be a Trustee for St. George's Chapel, vice Lieut-colonel Monteith (relieved)—Mr W. R. Taylor to act as Judge and crim. Judge of Chingleput, during the absence of Mr Hensley, or till further orders—15, Mr C. R. Baynes to act as sub-Collector and joint Magistrate of Cuddapah (vice Babington on other duty) till further orders—Mr R. D. Parler to act as sub-Collector and joint Magistrate of Nellore during Mr Forsyth's employ on other duty—12th, Mr J. F. Bury to be Asst to principal Collector and Magist. of N. division of Arcot—Mr H. D. Cook to be Asst to principal Collector and Mag. of Malabar; to join after his examination at college—17, Mr C. M. Lushington, 1st Puisne Judge of the Court of Sudder, &c., resumed duties on 16th Nov. last—23, Mr W. U. Arbuthnot to act as Judge and criminal Judge of Chingleput till further orders—Dec. 6, Mr J. Y. Fullerton to be Sheriff of Madras for the ensuing year—Mr J. F. McKennie, Master Attendant at Cuddalore, to officiate as Asst Master Attendant and Boat Paymaster of Presidency, till further orders—10, Mr A. Maclean to be Malayalam Translator to Govt—29, Mr T. D. Lushington to act as Head Asst to the principal Collr. and Magistrate of Canara, until further orders—Mr F. N. Maltby to resume his situation of Register to the Zillah Court

of Canara on being relieved from his duty by Mr L.—January 4, Mr A. Purvis to act as an Asst to the principal Collector and Magistrate of Cuddapah, until further orders—10, Mr G. M. Ogilvie to act as principal Collector and Magistrate of the Northern division of Arcot—Mr W. U. Arbuthnot attained the rank of senior Merchant on 21st Dec 1836; Mr T. B. V. Conway that of Factor on 6th July 1836; and Mr. M. P. Daniell of Factor on 16th Dec. 1836.

**GENERAL ORDERS.**

Fort St. George, November 11, 1836. No 238 of 1836—1. The Right Hon. the Governor in Council is pleased to declare that the station and regimental Deccan prize committees assembled for the investigation of the claims to the second dividend constructive capture, shall be considered to have finally closed their proceedings on the 1st May and 1st Nov. 1836, respectively, agreeably to the orders of Government of the 14th April 1835, and 26th April 1836.—2. Such committees as may not have already forwarded acquittance rolls, agreeably to the orders of Government, are directed to transmit them to the secretary to the general prize committee with as little delay as possible, and to deposit all unclaimed money in the general treasury of Government, reporting the same to the general prize committee; and forwarding at the same time nominal rolls of the persons on whose account such sums may be deposited, specifying the corps, company, and number to each name.—3. The general prize committee will continue to receive from commanding and staff officers such claims of Natives on the Deccan prize fund, designated constructive capture, as may be submitted to them, prepared agreeably to the forms prescribed for the conduct of station and regimental committees, and will pass for payment such as, on examination, may be found correct.—4. The claims of Europeans cannot be adjusted in India, but they will be submitted to Government by the general prize committee, for transmission to the Honorable Court of Directors for authority for their adjustment.—5. Claims may be preferred until 1st May 1841, after the expiration of which period no claim can be received.

Fort St. George, Dec. 27, 1836.—Notice is hereby given, with reference to the G. O. by the Right Hon. the Governor in Council, No. 329 of 1835, dated Sept. 4, 1835, published in the Fort St. George Gazette of 5th Sept. 1835, that leases for 99 years, renewable at the expiration of every 30 years, will be granted to all



persons who have been permitted to occupy land on the Neilgherries for the purpose of building, who have already applied, or shall apply, either directly or by their authorized agents, for the same, within three months from this date; and that leases will not be granted to persons who have not already applied or who shall not apply for them within that period. Applications are to be addressed to the Register of Grants at Madras, and transmitted through the principal Collector of Malabar for land at Ootacamund and elsewhere within the division of the Hills included in that district, and through the Principal Collector of Coimbatore for lands at Kotagherry, Coonoor, and elsewhere in the division of the Hills included in the district of Coimbatore. The leases will be made out for the extent of land occupied by each individual, as ascertained by a recent measurement (unless the party shall signify in writing that he has given up a part of it, stating the extent given up) at rates of rent fixed by order of Government, which may be known on application to the collectors respectively. Persons who have applied for leases, and who shall not take them out from the office of the Register of Grants within three months from this date, will be considered as having abandoned their claims, and leases will not be granted to them after that time.

**MILITARY APPOINTMENTS, PROMOTIONS, CHANGES, &c., from 15th Oct. to 27th Dec. 1836.**—Captain W. Cunningham 41st regt N I, to be Asst Quarter-General to the Nagpore subsidiary force—Asst Surgeons J. Anderson and H. O. Snowden permitted to enter on general duties of the Army—Captain G. A. Underwood, Engrs, to be Super Engr of C. division, vice Capt J. J. Underwood, but to continue command of Sappers and Miners till further orders—Captain C. E. Faber, Engrs, to act as Super Engr of 2nd division during the absence of Capt A. Underwood on other duty—Capt J. Campbell 41st N I, to be an Asst to Collector and Magistrate of Ganjam with the allowances of a head Asst Collector and to levy 100 armed peons under his orders—Asst Surgeon J. Kellie to the medical charge of the civil establishment of Killah Madura, vice Allardice—Artillery: 1st Lieut T. Dumas to be Captain, 2d Lieut H. Lawford to be 1st Lieut, vice McKenzie retired, date of commission 21st June 1836—Super 2d Lieut T. H. Campbell to be brought on the effective strength from 21st June 1836, to complete the establishment—Lieut J. Forbes

20th regt N I, permitted to resign the appointment of Quarterm and Interp to that corps—Lieut Werge H M's 39th regt, to be Aide-de-camp to Major Genl Sir J. F. Fitzgerald, K C B, from 25th May 1836—8th regt I. C, Cornet F. H. Scott to be Quarterm and Interp—14th N I, Lieut C. F. Kirby to be Adjt, vice Todd resigned—Ensign J. Jackson to be Quarterm and Interp, vice Kirby—Lt F. W. Todd 14th N I, permitted to resign the Adjutancy of that corps—Capt J. V. Hughes, 39th regt, to do duty with the detachment of European recruits in the Fort in room of Lieut A. Wood 29th regt who joins his regt—The date of rank assigned to Ensigns W. T. Money, 41st regt, and W. A. Brown, under date 8th June 1836, is cancelled—Asst Surgeon J. Mathison doing duty with H M's 55th foot, to do duty with H M's 63d foot till further orders—Lieut T. Maclean 39th regt N I, to be Private Secy to the Governor—Lieut J. Maitland, Art, to be Aide-de-camp to the Governor, vice Maclean—Lieut E. W. Snow 24th regt N I, to be Asst Secy to Military Board, vice Lavie—Lieut J. Alexander, 8th regt I. C, to be Fort Adjutant of Fort St George, vice Snow—1st regt N I, Senior Lieut S. Talmu to be Captain, and Senior Ensign J. Marjoribanks to be Lieut, vice Hadfield invalided, date of commissions 4th November 1836—Lieut G. J. Walker H M's 13th L. D. to be Aide-de-camp to the Commander-in-chief—Mr W. R. Brown is admitted on the Establishment a Cadet for Infantry and promoted to Ensign, leaving the date of his commission unsettled—1st Lieut Shaw to be 2d Asst to the civil Engineer in 3d division—2d Lieut Inverarity to be 2d Asst civil Engineer in 4th division—Brigadier Wahab, C B, be placed in temporary command of the troops in the northern div. south of Vizagapatam, with authority to correspond direct with the Head Quarters of the Army, during the approaching service in Coonoor, or till further orders—The division staff will be attached to the Brigadier during the continuance of the temporary command above authorized—Lieut-colonel Anderson to be a Brigadier of 1st class, and will, under the orders of Brigadier Genl Taylor, have immediate command of the Coonoor field force, with the Staff Officer at present attached whose designation will be changed from Brigade Major, to deputy Asst Adjutant General—The deputy Adjutant General of the Army and Asst Quarterm. Genl are attached to Brigadier General Taylor during service—1st Lieut F. C. Cotton, civil Engr 4th division, to act as civil



Engr in the 2d division during the absence of Captain H. C. Cotton on other duty or till further orders—1st Lieut S. Vardon, Asst 1st class to civil Engr in 1st division, to act as civil Engr in 4th division, during the absence of Lieut F. C. Cotton on other duty, or till further orders—1st Lieut T. Smythe, Asst in 2d class 1st division, to act as an Asst of 1st class in that division, during employment of 1st Lieut Vardon with 4th division, or until further orders—Ensign W. R. Brown, recently promoted, is to do duty with 18th regt N I, until further orders—Captain J. V. Hughes, 39th regt, having reported sick, is relieved from doing duty with the detachment of European recruits in Fort St George—Asst Surgeon R. H. Rennie to continue to do duty at the depot of Cuddalore until further orders—Asst Surgeon J. Arthur doing duty with Madras European regt to continue to do duty with 2d batt of Artillery until the detail of former corps proceeds to join the head-quarters—Captain W. P. Deas relieved from duties of invaliding committee, of which Major E. McPherson is President—Ensign R. R. Sibley, 37th regt, to do duty with detachment of European recruits under command of Capt J. Clough—Capt R. F. Otter, 28th regt, to take charge of convicts at Guindy, when 2d Lieut C. A. Orr, Sappers and Miners, will join the head-quarters of that corps—8th regt N I, Senior Ensign T. L. Patch to be Lieut, vice Woodhouse (lost at sea), date of commission 30th Oct. 1836—10th regt N I, Senior Ensign W. Cook to be Lieut, vice Clayhills (lost at sea), date of commission 30th Oct. 1836—Ensign W. R. Studdy, 11th N I, to proceed from Bangalore to Secunderabad, and await there the arrival of a detachment of Madras European regt, with which he will join his corps at Kamptee—Asst Surgeon E. W. Eyre to take medical charge of establishment of Collector and Magistrate at Tanjore—Captain E. T. Morgan, 50th N I, to be a member of the Invalids Committee at Fort St George—Lieut-col W. M. Burton, Artillery, to be a Brig. of 2d class, and to command at Bangalore—5th regt L C, Senior Lieut G. Elliott to be Captain, and Senior Cornet G. L. H. Gall to be Lieut, vice FitzGibbon discharged, date of commission 18th Nov. 1836—Super. Cornet Lousada Harrow to be brought on the effective strength of the 5th regt L C, from 18th Nov. 1836, to complete the establishment—Lt Birley, 27th N I, to do duty with the detachment

of Madras European regt, in Fort St George, under the command of Captain Clough, and Lieut Walker, 26th regt; is relieved from duty with it, and to join his corps—Captain W. Justice, 5th regt N I, to be a member of the Inv. Committee at the Fort, in room of Capt T. Anderson relieved—The order by the Officer commanding S. division appointing Lieut J. Thomson, 5th N I, to act as deputy Asst Quarterm. General until further orders, is confirmed—1st Lieut H. Watts, Engrs, to be Asst to the Super. Eng. at the Presidency—12th regt N I, Lieut W. G. Johnstone to be Adjt, 39th regt N I—Lieut A. F. Beavan to be Adjt—Captain W. Hill, Madras European regt, to the charge of the detachment of that corps in the Fort, in room of Captain Clough, 11th regt N I, relieved—Lieut F. Hamilton, Madras European regt, to do duty with the detachment—Brigadier General C. A. Vigoureux is re-appointed to the command of Mysore division of the army from 1st Dec. 1836, until further order, vice Major Genl Sir G. Elder, K. C. B. &c—31st N I, Senior Ensign R. Jackson to be Lieut, vice Martin *dec*, date of commission 29th Nov. 1836—Captain A. S. Logan, 33d N I, to be ~~Regiment~~ centre division, vice Douglas—Ensign E. R. Sibley, 37th regt, relieved from the detachment of the Madras European regt in the Fort, and to rejoin his regt—18th regt N I, Senior Captain R. J. H. Vivian to be Major; Senior Lieut W. Russell to be Captain; and Sen. Ensign C. H. Winfield to be Lieut, vice Shaw invalidated; date of commission 9th Dec. 1836—41st N I, Sen Ens W. E. P. Cotton to be Lt, vice Fair *dec*, date of commission 28th Nov. 1836—Captain W. Justice, 5th regt N I, to be Asst Adjt Genl to Hyderabad Subsidiary Force, vice Vivian promoted—Lieut T. Maclean, 39th regt N I, to be Asst Adjt General to the Nagpore Subsidiary Force, vice Logan—51st regt N I, Lieut J. M. Madden to be Quarterm. and Interp., vice Hammond to Europe—The services of Major R. J. H. Vivian, 18th regt N I, are placed at the disposal of the Commander-in-chief for regtl duty—Lieut T. Maclean, Asst Adjt of the Nagpore Subsidiary Force, will act as Private Secy. to the Governor until further orders—1st Lieut H. Watts of the corps of Engineers, to act as Supert. of Roads in the Public and Assessment departments—Lieut C. Seagram, H.M.'s 46th regt, to be Aid-de-camp to Brigadier General C. A. Vigoureux—Brigadier T. H. Smith, permitted to resign command



of Palaveram—Cadet McKinnon promoted to Ensign, date unsettled—1st Lieut J. K. B. Timins to do duty with the Horse Brigade of Artillery during the absence of Lieut Hall on sick certificate—5th N I, Senior Ensign H. E. Gustard to be Lieut, vice Hayman *dec.* date of commission 18th Dec. 1836—Captain P. Maitland H. M.'s 74th regt to be Military Secy to the Commander-in-chief—Mr E. Tower, cadet, promoted to the rank of Ensign, leaving the date of commission unsettled—Asst Surgeon Morrogh A. troop Horse Art. to do duty with B troop Horse Art at St Thomas's Mount, till further orders—Mr J. Robson to be an Asst Surgeon and to do duty under the Surg. of the General Hospital—Ensign K. Tower, recently promoted, to do duty with 45th regt N I, till further orders—Major E. McPherson, 42d regt, relieved from Invaliding committee, and to take charge of details of Art H. M.'s 55th foot and the Madras European regt under orders to join their corps at Secunderabad, &c. &c.—admitted and promoted to Ens.—Messrs. G. R. Gleig, S. J. Batten—Asst Surgeon Mr J. D. V. Packman to do duty under Surgeon of 2d batt Art—Lieut-colonel J. W. Cleaveland 38th N I, to be President of Invaliding committee at the Fort—Asst Surgeon J. Arthur Madras Eur. regt to join and afford medical aid to detachment of that corps in the Fort—Asst Surgeon T. W. Stewart Madras Eur regt to do duty with detachment of Art on route to Kamptee—Capt J. Chisholme, Art, to act as Commissary of Ordnance to Hyderabad subsidiary force during the absence of Captain Hammond on sick certificate or till further orders—Super Cornet R. W. Raikes brought on the effective strength of 1st regt L C, to complete the establishment—With reference to General Order by the Governor General, of 14th Nov. 1836, dated 29th Nov., the following promotions and corrections of rank of colonel by brevet, are ordered:—Colonels W. Dickson, C B, 6th L C; B. B. Parby, C B, 35th regt; W. G. Pearse, Artillery; W. Clapham, 47th regt; J. Woulfe, 9th regt; E. Edwards, 38th regt; T. Webster, 23d regt; G. Waugh, 32d regt; T. H. Smith, 26th regt; E. M. G. Showers Artillery; W. Woodhouse, 19th regt; F. W. Wilson, C B, Madras Eur. regt; J. Collette, 5th L C; G. I. Wahab, 52d regt; H. Ravensford, 3d L C; P. Cameron, 1st L C; J. Carfrae, 50th regt; R. West, 1st regt; G. Jackson 7th regt; G. A. Walker, 4th regt; F. Bowes, 41st regt; J. S. Fraser 36th regt; to take

rank from 5th June 1829—to relieve them from supercession by the promotion of Lieut-colonel Peter Delamotte of the Bombay Establishment to the rank of colonel regimentally—Colonels H. Bowdler, 21st regt, and J. Hackett, 51st regt to take rank from 1st December 1829.—To relieve them from supercession by the promotion of Lieut-colonel H. Thomson Bengal Establishment to the rank of colonel regimentally—To be colonels: Lieut-colonel J. Briggs, 44th regt, from the 1st December 1829—Lieut-colonels W. M. Burton, Artillery; J. Wahab C B, 32d regt; J. Bell, 7th regt; T. H. S. Conway, C B, 6th L C; G. M. Steuart, 30th regt; M. Cubbon 41st regt; S. S. Gummer 42d regt; T. King 47th regt; J. Green, 4th regt; W. Monteith, K.L.S. Engineers; M. Riddell, 8th L C; J. T. Trewman, 34th regt; R. L. Evans, C B, 29th regt; W. Morison, C B, Artillery, from 18th June 1834.—To relieve them from supercession by the promotion of Lieut-colonel D. McLeod of the Bengal Establishment, to the rank of colonel regimentally—Lieut-cols W. Cullen, Art, J. Napier, 40th regt; J. Ogilvie, 11th regt; R. Home, 12th regt; T. Marrett, 10th regt; J. T. Gibson, 20th regt; from the 22d Jan, 1834.—To relieve them from supercession by the promotion of Lieut-colonel R. Tickell, C B, Bengal Estab, to the rank of colonel regimentally—Captain Hill, Madras Eur. regt to take charge of details of that corps, &c. proceeding to join their respective corps at Secunderabad, &c. in room of Major McPherson (relieved)—Inf: Senr Major A. McFarlane, 16th regt, to be Lieut-colonel, vice Hodgson *dec.*, date of commission 27th December 1836—16th regt N I, Senior Captain J. K. Luard to be Major, senior Lieut S. A. Grant to be Captain, and senior Ensign G. Carr to be Lieut, in succession to McFarlane prom, date of commission 27th Dec. 1836—Medical Department, Surgeon D. Richardson, to rank from 20th July 1836, vice Adam retired—Senior Asst Surgeon J. G. Mulcolman to be Surgeon, vice Fasken *dec.*, date of commission, 3d Oct. 1836—Sappers and Miners: Quarterm. Serjeant T. C. Almond to be Conductor, from the 6th December 1836—Captain R. Thorpe of 27th regt N I, will act as Paymaster at the Presidency during the absence of Captain Forster—Captain W. P. Macdonald, 41st regt N I, to be Commissioner in Goomsoor, from date on which he joined Mr Russell's camp—Admitted and promoted to rank of Ensign W. J. Hare.



**REMOVALS AND POSTINGS**—Lieut-colonel D. Ross 49th to 18th regt, and Lieut-colonel C. G. Alves (late prom) to 49th—Asst Surgeon E. S. Cuming 2d batt Art. to do duty with H. M.'s 63d foot—Asst Surgeon R. H. Rennick, depot Surgeon at Cuddalore; and Asst Surgeon A. Wright to proceed to Masulipatam, and to place himself under orders of the Officer commanding that station—Capt J. Smith, Car. European Vet. batt. to 1st Native Vet. batt.—The following removals cancelled: Ensigns W. F. Hutton from 9th regt to 34th regt—G. B. Stevens from left wing M. E. regt to 32d regt—T. M. Ware from 43d regt to 9th regt—W. D. Mainwaring from 2d regt to 20th regt—G. W. Peyton from 16th regt to 25th regt—R. P. Podmore from 47th regt to 44th regt—The following Ensigns of Infantry are reposted: E. W. Metcalfe, 3d Ensign 52d regt N I, to 14th regt, to rank next below Ensign W. A. Lukin—H. W. Tulloch, 3d Ensign 10th regt N I to 52d regt, to rank next below Ensign P. H. Johnston—Oliver Brassey, 3d Ensign, 45th regt N I, to 10th regt, to rank next below Ensign R. L. Reilly—W. D. Mainwaring, 3d Ensign 24 regt N I, to 45th regt, to rank next below Ensign R. Cooper—R. P. Podmore, 3d Ensign 47th regt N I, to 2d regt, to rank next below Ensign J. F. Erskine—Frederick Nelson, 3d Ensign 11th regt N I, to 47th regt, to rank next below Ensign H. D. Innes—W. R. Studdy, 3d Ensign 32d regt N I, to 11th regt, to rank next below Ensign J. May—H. B. Kensington, 3d Ensign 22d regt N I, to 32d regt, to rank next below Ensign C. H. Case—A. R. West, 3d Ensign 6th regt N I, to 22d regt, to rank next below Ensign F. W. Baynes—G. W. Peyton, 3d Ensign 46th regt N I, to 6th regt, to rank next below Ensign T. H. B. Ludlow—H. R. Nuthall, 3d Ensign 23d regt N I, to 16th regt, to rank next below Ensign W. R. Fullerton—G. C. Dickson, 3d Ensign 28th regt N I, to 23d regt, to rank next below Ensign S. G. Orr—T. Thompson, 3d Ensign 31th regt N I, to 28th regt, to rank next below Ensign R. Woolley—W. F. Hutton, 3d Ensign 9th regt N I, to 84th regt, to rank next below Ensign R. Wallace—J. J. Gibson, 3d Ensign 37th regt N I, to 9th regt, to rank next below Ensign T. Haines—G. B. Stevens, 3d Ensign left wing M. E. regt N I, to 37th regt, to rank next below Ensign J. M. Harrison—J. M. Walhouse, 3d Ensign 1st regt N I, to left wing M. E. regt, to rank next below Ensign M. Galwey—C. Mockler, 3d Ensign 33d regt N I, to

1st regt, to rank next below Ensign W. F. Eden—F. Childers, 3d Ensign 29th regt N I, to 33d regt, to rank next below Ensign E. H. L. Moore—H. D. Abbot, 3d Ensign 7th regt N I, to 26th regt, to rank next below Ensign T. F. V. Outlaw—T. M. Warre, 3d Ensign 43d regt N I, to 29th regt, to rank next below Ensign F. F. Warden—G. S. Dobbie, 3d Ensign 4th regt N I, to 7th regt, to rank next below Ensign T. G. Oakes—Blackett Revell, 3d Ensign 38th regt N I, to 43d regt, to rank next below Ensign R. P. K. Watt—G. W. N. Dunlop, 3d Ensign 18th regt N I, to 4th regt, to rank next below Ensign J. E. Lacon, since resigned—S. Shaw, 4th Ensign 16th regt N I, to 38th regt, to rank next below Ensign C. Carter—J. M. H. Philipps, 4th Ensign 12th regt N I, to 18th regt, to rank next below Ensign C. H. Winfield—J. P. Biggs, 4th Ensign right wing M. E. regt N I, to 16th regt, to rank next below Ensign C. S. Mardell—H. P. Keighly, 4th Ensign 29th regt N I, to 12th regt, to rank next below Ensign G. H. Eckford—E. W. Boudier, 4th Ensign 21st regt N I, to right wing M. E. regt, to rank next below Ensign A. A. Geils—W. H. Baynes, 4th Ensign 3d regt N I, to 49th regt N I, to rank next below Ensign H. Man—Captain H. W. Hadfield invalided is posted to Carnatic European Veterinary batt—Ensign R. P. Podmore 2d to 44th regt N I, to rank next below Ensign W. M. Wahab—Ensign T. M. Marre 29th to 2th N I, to join and rank next below Ensign J. J. Gibson—1st Lt. W. M. Gabbett 2d batt, to the effective strength of Horse Artillery, vice Maitland posted to 2d batt—Asst Surgeons J. Innes 51st N I to 27th; C. C. Linton 27th N I, to 5th regt I. C.; W. Beauchamp doing duty with H. M.'s 67th foot to 51st regt N I—Lieut-colonels G. M. Steuart 20th to 30th regt; J. T. Gibson 26th to 20th regt; H. Ross 30th to 22d regt; C. Lethbridge 22d to 26th regt—Ensign E. W. Boudier right wing Madras Eur. regt to 51st regt N I, to join and rank next below Ensign J. C. McCaskill—Ensign E. W. Metcalfe 14th to 43d regt N I, to join and rank next below Ensign B. Revell—Cornet L. Barrow doing duty with 6d cavalry to 5th regt I. C., as 4th cornet to join and rank next below Cornet the Hon. P. T. Pellet—Ensign G. S. Dobie 7th to 4th regt N I, to rank next below Ensign G. W. M. Dunlop—Ensign G. W. Peyton 6th to 25th to join and rank next below Ensign W. M. Anderson—Ensign W. H. Baynes 49th regt to 3d L I, to rank next below Ensign V. C. Taylor—Cornet C. W. Gordon 6th cavalry, to



7th regt L C, as 4th cornet to rank next below Cornet R. Hunter, but to continue to do duty with 6th L C, till further orders—Ensign G. B. Stevens 37th to 32d regt N I, to rank next below Ensign H. B. Kensington—Ensign S. Shaw 38th to 16th regt, to rank next below Ensign G. S. Mardell—Ensign J. P. O. Biggs 16th to 38th regt to rank next below Ensign C. Carter—Ensign H. B. Keighly 12th to 49th regt to rank next below Ensign H. Man—Ensign B. Revell 43d N I, to 31st regt L I, to rank next below Ensign W. B. Jackson—Ensign T. Thompson 28th to 34th regt, L I to rank next below Ensign W. F. Hutton—Lieut R. A. Joy Carnatic European Vet batt to 1st Native Vet batt, and will join—Ensign H. D. Abbott 26th to 31st regt L I, to join and rank next below Ensign B. Revell—Maj W. Shaw invalided, to 1st N. Vet batt—Ensign H. R. Nuthall 46th to 23d regt L I, to rank next below Ensign G. C. Dickson—Asst Surgeon A. W. Collings reported qualified for the treatment of acute diseases, 2d batt Art, to do duty with H. M.'s 62d foot—Major Poulton 2d N. V. batt to Carnatic European Vet batt, and to join at Vizagapatam—Captain Millington 1st N. Vet batt to 2d N. Vet batt and to join the detachment at Guntoor—Asst Surgeon J. C. Fuller, 11th regt to 8th regt—Asst Surgeon J. Dorward 7th cavalry to 30th regt—Asst Surg E. G. Bedwell northern division, to 50th regt—Asst Surgeon C. Don doing duty M. E. regt to Madras Eur. regt—Ens J. J. Gibson 9th to 26th regt N I to join and rank next below Ensign T. F. V. Outlaw—Ensign A. R. West 22d to 6th regt N I, to rank next below Ensign T. H. B. Ludlow—Cornet R. W. Raikes doing duty with 6th cavalry, to 1st regt L C, as 4th cornet, join and rank next below Cornet G. A. Farmer—Colonel A. Andrews, C B, 42d regt to 1st regt—Colonel R. West 1st regt to 42d regt—Lt colonel S. S. Gummer 42d regt to 1st regt—Lieut-colonel J. Stewart 51st regt to 42d regt—Lieut-colonel J. Moncrieff 1st regt to 51st regt—Ensign C. Mockler 1st to 33d N I, to rank next below Ensign E. H. L. Moore—Ensign F. Childers 33d to 1st N I, to rank next below Ensign W. F. Eden.

**RETURNED TO DUTY.**—Lieuts D. B. Viley, 27th N I—J. Wilkins, 41st N I—C. Rowlandson, 46th N I—Capt E. H. Atkinson, 19th N I—Lieut H. Watts, Engs—Captain W. Hill, left wing Madras Eur. regt—Lt F. Hamilton, do—Lt M. Carthew, 21st N I—Capts R. D. Weir, R. W. M. European regt—J. Kerr, left wing European regt—C.

Wahab, 16th N I—Brig. Captain T. Maynor, 26th N I—Asst Surgeon H. S. Royes, 26th N I—Lieut-colonels F. L. Doveton, 4th L C—R. L. Evans, C B, 29th N I—Captains J. P. Woodward, 9th N I—P. Pope, 24th N I—Lieut J. F. Stevens, 18th N I—Asst Surgeon J. J. Purvis, 26th N I—Lieut-colonel A. B. Dyce, 19th N I—Captain J. Mann, 25th N I—Lieut W. H. Pigott, 46th N I—Lieut H. A. Thompson, 50th N I—Captain W. Langford, 51st N I.

**FURLONGHS.**—Mr A. Crawley, C. S. (prep.)—Messrs E. B. Thomas—W. Morehead—H. T. Porter—F. Anderson of the C S—Mr G. Sparkes—Captain H. H. Watts—Lieut J. Forbes—E. Baker—Lieut R. Henderson—Lieut-col C. Lethbridge—Lieut C. W. Hodson (to the Cape)—Lieut H. D. Sheppard (prep)—Major M. Tweedie—Lieut R. T. Onslow 7th L C—Brevet Captain G. R. Johnston (prep)—Major G. Conran—Captain H. W. Hadfield—Surgeon D. Brackenridge—Captain J. Thomas—Lt C. H. Horsley—Major A. McPherson—Lieut-colonel J. Ogilvie—Captain G. Burn—Captain J. Hamond (prep) to sea—Major W. Shaw (prep)—Brigadier T. H. Smith—Mr W. E. Lockhart, C S—Captain N. Geoghegan—Lieut H. Metcalf—Brevet Captain S. R. Hicks.

**RETIRED FROM THE SERVICE.**—Cornet F. Napier 1st L C—Snrgeon R. Anderson—Major E. Macpherson, 42d N I—J. A. Csamajor, Esq, C S.

**QUALIFIED IN THE NATIVE LANGUAGES.**—Lieut Losh—Lieut Waters, 3d L C—Cornet Scott, 8th L C—Lieut Young, 19th regt—Lieut Beavan, 39th regt—Lieut Johnstone, 12th regt—Ens Stewart, 49th regt.

**MOVEMENTS OF REGIMENTS.**—10th regt N I, from Samulcottah to Bellary, to be there stationed—H. M.'s 45th regt, under orders for Europe, to proceed from Aince to Poonamallee.

**ALTERATIONS OF RANK.**—25th regt N I, Captain J. Mann and Lieut J. W. Farran to take rank from 7th July 1834, vice Harkness retired—Artillery: Capt T. Dumas, 1st Lieut H. Lawford, and 2d Lieut T. H. Campbell, to take rank from 22d June 1836, vice M'Kenzie retired.

**INVALIDED.**—Captain H. W. Hadfield, 1st regt N I—Major W. Shaw, 18th N I.

#### GENERAL ORDERS.

**Court-Martial.**—The following extracts from the confirmed proceedings of an European general court martial, holden at Fort St. George, on Monday, the 24th day of October, in the year of our Lord, 1836, by virtue of a warrant



from his Excellency Lieut. General Sir Peregrine Maitland, K. C. B., Commander-in-chief, are published to the army.—Captain Richard Beresford FitzGibbon of the 5th regiment of light cavalry, and paymaster in the southern division, placed in arrest by order of the commander-in-chief, on the complaint of Major John Wallace of the 46th regt. of native infantry.—Charge. I charge Capt Richard Beresford FitzGibbon, of the 5th regt. of light cavalry, and paymaster in the southern division, with scandalous and infamous behaviour, unbecoming the character of an officer and a gentleman, in the following instances:—First instance.—In having, at Madras, on the 26th of June 1836, in a pamphlet, purporting to be a statement of facts, and circulated by him, falsely asserted that the court-martial, of which I was the president, which assembled on the 7th of April, in the same year, for the trial of Gunner Leach of the second battalion of artillery, would not permit him, Captain FitzGibbon, to offer explanation, though solicited through the deputy judge advocate, when he, Captain FitzGibbon, was ordered into close arrest, by that court, on the 15th of the same month, such assertion being contrary to fact.—Second instance.—In having, at the same time and place, in the same pamphlet, falsely asserted, that he was compelled to come into court a prisoner though prosecutor; such assertion being contrary to fact.—Third instance. In having, at the same time and place, and in the same pamphlet, falsely asserted that the said court-martial sent corporal Thipthorpe of his Majesty's 54th regiment of foot, out of court a prisoner, and ordered him to be kept in solitary confinement all night; such assertion being contrary to fact.—Fourth instance.—In having, at Trichinopoly, on the 7th of April, in the same year, falsely stated on oath, before the said court-martial of which I was president, that he, Captain FitzGibbon, had never walked to the artillery practice ground after sun-set: such statement being contrary to fact.—Fifth instance.—In having, at the same place, on the 14th of the said month, in a note addressed to Captain Lachlan McLennan of the 6th regiment of native infantry, officiating deputy judge advocate, falsely stated, as follows:—"I know nothing of corporal Thipthorpe, and can only suppose, when he said, 'I gave him thirty rupees,' he mistook me for some one else." Whereas, he, Capt. FitzGibbon, subsequently acknowledged to the same officer, and admitted in the said pamph-

let, that previously to his having written the note in question, he not only knew the said corporal Thipthorpe, but had given him no less a sum than two hundred rupees.—Sixth instance. In having at the same place, on the 15th of the said month, when prosecutor before the court martial of which I was president, done his utmost to mislead the court into the belief of testimony upon oath, which he, Captain FitzGibbon knew to be false, by entering a protest against impugning the denial on oath, by corporal Thipthorpe, of the receipt of any sum of money from him, Captain FitzGibbon, whereas, he, Captain FitzGibbon, then well knew, and has subsequently admitted, that money had been paid by him to corporal Thipthorpe, and that the denial thereof, by that individual, on his oath, involved the crime of perjury.—Seventh instance.—In having, at the same place, on the 30th of August in the same year, before the court of enquiry of which Lieut.-colonel Bryce McMaster of the 23d regiment of light infantry, was president, falsely stated, as follows:—"I can positively assert that, at the dinner to General Lisle, on the 28th of October, I also wore a cavalry uniform:" such statement being contrary to fact, and contrived for the purpose of misleading the authority to whom the proceedings in question were to be submitted.—Eighth instance.—In having, at the same place, on the 5th of October 1835, indecently exposed his person to private Cornelius Shea of his Majesty's 54th regiment of foot.—The above being in breach of the articles of war. (Signed) J. WALLACE, Major, 46th regt. N. I., and late president of the general court-martial convened for the trial of Gunner Leach of the 2d batt Art.—Madras; the 21st day of September, 1836. (By Order) (Signed) T. H. S. CONWAY, Adjutant-General of the Army.—Captain Richard Beresford FitzGibbon of the 5th regiment of light cavalry, and paymaster in the southern division, charged, in addition to the charges originally preferred against him, on the representation of Lieut.-colonel Midmay Fane of his Majesty's 54th regiment.—Additional charge. With scandalous and infamous behaviour, such as unbecoming the character of an officer and a gentleman, in the following instances:—First instance. In having, at Trichinopoly, on the night of the 6th of October 1835, indecently exposed his person to private Andrew Hammon of his Majesty's 54th regiment.—Second instance. In having, at the same place, shortly afterwards, on the same night, in



like manner, exposed his person to corporal John Goode of the same regiment.—The above being in breach of the articles of war. (By Order) T. H. S. CONWAY, Adjt-General of the Army.

Fort St. George, Sept. 21th 1836.—The Court having most maturely weighed and considered the whole of the evidence adduced in support of the prosecution, as well as what the prisoner, Captain Richard Beresford FitzGibbon of the 5th regiment of light cavalry, and paymaster in the southern division, has advanced in his defence, and the evidence in support thereof, is of opinion.—Finding on the first instance of charge: That the prisoner is not guilty of the first instance of charge.—Finding on the second instance of charge: That the prisoner is not guilty of the second instance of charge.—Finding on the third instance of charge: That the prisoner is not guilty of the third instance of charge.—Finding on the fourth instance of charge: That the prisoner is guilty of the fourth instance of charge.—Finding on the fifth instance of charge: That the prisoner is guilty of the fifth instance of charge.—Finding on the sixth instance of charge: That the prisoner is not guilty of the sixth instance of charge.—Finding on the 7th instance of charge: That the prisoner is guilty of the 7th instance of charge.—Finding on the eighth instance of the charge: That the prisoner is not guilty of the eighth instance of charge.—Finding on the first instance of the additional charge: That the prisoner is not guilty of the first instance of the additional charge.—Finding on the second instance of the additional charge.—Charge. That the prisoner is not guilty of the second instance of the additional charge.—Sentence: The Court having found the prisoner guilty to the extent above stated, doth sentence him the said Capt Richard Beresford FitzGibbon of the 5th regt L.C. and Paymaster of the southern division, to be discharged from the service.—(Signed) W. SEWELL, Colonel and President.—(Signed) C. A. ROBERTS, Deputy Judge Advocate General—Confirmed. (Signed) P. MITTLAND, Lieut General and Commander-in-chief—Madras, 18th November, 1836.—Mr R. B. FitzGibbon is to be struck off the strength of the Army from this date.—The General Court Martial assembled in Fort St George, of which Colonel W. H. Sewell, H. M.'s 21st, Lieut and deputy Quarter Master General of H. M.'s forces is President is dissolved.—T. H. S. CONWAY, Adjutant General of the Army.

MARRIAGES.—Sept. 20, at Hyderabad, Mr E. Borthwick to Margaret, daughter of Captain Robinson—28, Serjt R. Jackson to Miss E. McFarlane—Oct. 3, Mr V. Sylva to Miss C. Andrews—Mr R. W. Barrett to Miss E. D' Souza—5, Mr A. Raulim to Miss C. Kennedy—18, Mr C. W. Seymour to Miss L. G. Lund, only daughter of Captain H. P. Lund—Nov. 8, at Manglipatam, F. H. Crozier, Esq, C S, to Harriet, only daughter of J. B. G. P. Paske, Esq—Captain W. P. Deas 6th L C, to Henrietta, 2d daughter of W. R. Taylor, Esq, C S—18, at Pondicherry, Rev. J. McLechler, to Emma, eldest daughter of the late J. Brown, Esq—Apothecary S. Jones to Miss M. Horne—Dec 8, J. Barrow, Esq, C S, to Matilda eldest daughter of J. W. Marriott, Esq, Taunton—22, H. D. Cook, Esq, C S, to Catherine, youngest daughter of J. H. Home, Esq, of Berwickshire—Jan. 7, W. B. Thompson, Esq, Asst Surgeon, to Penelope, daughter of the late Rev. J. Jacob, of Wexford—11, G. Dumergue, Esq, C S, to Maria, 3d daughter of J. Bird, Esq, C S.

BIRTHS.—Aug. 9, at Moulmein, the lady of W. Warwick, Esq, of a son—Sept 17, the wife of Mr J. Xavier of a daughter—30, at Moulmein, the lady of Captain McCully, Asst Comm. Genl., of a son—Oct 15, at Waltair, the lady of Major H. Walter of a daughter still-born—21, at Vizianagram, the wife of Serjt. J. Dorant of a son—23, the wife of Mr A. Gillis of a son—25, at Arcot, Mrs J. Huford of a daughter—27, at Cuddapah, the lady of Asst Surgeon Dartnell H. M.'s 41st regt, of a son—28, at Indore, the lady of J. Bux, Esq, of a son—at Royapuram, Mrs P. Batchelor of a son—Nov 3, at Bangalore, the lady of A. A. Linton, Esq, Asst Surgeon, of a son—7, the wife of Mr J. Begent of a daughter—12, at Conillah, the lady of F. Courjon, Esq, of a son—Mrs G. Batchelor of a son—15, at Tanjore, the lady of Captain J. Hutchings of a son—16, at Chintadrapettah, Mrs D. W. Clark of a son—20, at Nagpore, the lady of Captain T. A. Duke of a son—23, at Secunderabad, the lady of J. H. Gunthorpe, Esq, H. Art, of a daughter—27, at Bangalore, the lady of Captain McCurdy of a daughter—29, at Bellary, the wife of Mr J. Murby of a son—Dec 1, at Samulcottah, the lady of Lieut Burdett 41st regt, of a son—3, Mrs F. Pope of a son—10, the lady of Captain Stockwell, Paymaster, of a son—13, the lady of G. L. Prendergast, Esq, C S, of a son—15, at Trichinopoly, the lady of Lieut Boyd, H. M.'s 54th regt, of a son



—17, at Mysore, the lady of Captain F. Chalmers of a son—21, at Bangalore, the lady of Captain A. Clarke of a daughter—27 at Poonamallee, the lady of Captain W. H. Butler H. M's 15th regt, of a son—at Cuddalore, the lady of Lt. Leggatt of a son—at Chintadrapet, the wife of Mr P. H. Shaw of a son—28, the wife of Mr W. Foxon of a daughter—29, at Chintadrapet, the wife of Mr J. Anderson of a son—Jan. 4, the wife of Mr R. W. Careless of a son—5, at Arcot, Mrs M. Hopson of a daughter—at Poonamallee, the wife of Apothecary E. Hall of a son—6, at Palaveram, the lady of Captain C. A. Roberts of a son.

**Deaths.**—Aug 2, at sea, Maaka, wife of W. H. Rose, Esq, Solicitor—Sep 16, at Royapettah, Harriet, wife of Mr F. Lavery—21, Cecelia, youngest daughter of the late Asst Apoth J. Nagle—23, at Calicut, the wife of Mr J. Pinto—24, the wife of Mr Premdegaat—29, Eliza, infant daughter of Sergeant G. Hancock—Oct 2, Mrs E. Simons—9, at Samulcottah, Francis, infant son of Ensign J. H. Sanson—30, at sea, Lieut T. H. Woodhouse 8th regt and Lieut C. Clayhills 10th regt—Nov 13, at Jaulnah, Lieut R. T. Onslow 7th L. C.—17, at Hazareebaugh, Captain J. Otter H. M's 49th foot—19, Overseer J. Cashut—at Burdwall, Mr E. McDowell—21, at Cuddalore, John, son of J. F. McKenna, Esq—Apothecary R. Stone—21, Catherine, daughter of Mr J. H. Taylor—at Nagpore, the infant son of Captain T. A. Duke—23, near Guntoor, Brevet Captain G. R. Johnston 31st regt—28, at Waltair, Lieut P. Fair 41st regt N I—at Secunderabad, Trussell, wife of C. Daniell, Esq, Paymaster of H. M's 55th regt—29, at Secunderabad, Lieut R. H. Martin 31st L I—29, at Egmore, Cornet R. J. Pauchard—Dec 1, Charlotte, daughter of Mr J. J. J. J. at Quilon, Mrs Miller wife of the Rev W. Miller, Missionary—2, at Royapooram, Charles 3d son of Captain T. Locke—at Secunderabad, Ensign H. Nixon 36th regt N I—5, at Jaulnah, Harry, infant son of Capt. F. Bades, 39th regt N I—6, at Mercara, Sub-conductor T. Keeffe—13, at Nowgaum, Lieut J. B. Hayman 6th N I—14, Ann, youngest daughter of Mr J. H. Taylor—19, Mr John Sheriffe—20, at Jaulnah, the lady of Major W. Taylor 39th regt—25, at Cuddalore, Mrs Holtsberg, relict of the late Rev Mr Holtsberg—27, at Viahnoochuckrum, Lieut-col. S. J. Hodgson 6th regt N I—28, Fanny, only daughter of J. G. Taylor, Esq, H. C.'s Astronomer—29, Eliza, eldest daughter of Major Whannell—Jan. 6, at Pondicherry, Adelaide, wife of T. Chenot, Esq

—7. Murdock, youngest son of Mr N. Morrison.

## Bombay.

**Civil Appointments.**—Nov. 10, Mr P. M. Dalzell to act as uncovenanted Asst to the Collector of Customs at the Presidency during Mr Barra's absence on sick leave—21, Mr W. Longford to act as deputy Civil Auditor and deputy Mint Master during the absence of Mr G. Grant—30, Mr H. Brown to be acting Asst Judge of the Conkan for the detached station of Rutnagherry—26, Rev. H. Jeffreys, A. M., to be acting Pres. and Garrison Chaplain, from the date of Rev Mr Young's decease—Lieut Rudd 5th regt N I, to act for Captain Hunter in command of the Poona Police, and as Asst Supert of Police—Dec. 2, Mr W. W. Bell to be 1st Asst to Collector of Ahmednuggur, and placed in charge of the Naxsick districts—14, Lieut J. Barrows, 11th regt N I, to succeed Captain J. Hale, 22d N I, as Asst in the Thuggee department in Western Malwa and Guzerat—Lieut T. H. Brown, 23d N I, and W. J. Morris, 9th regt N I, to be Asst Magistrates in Gaudelish.

**Military Appointments, Promotions, Changes, &c., from 19th Nov. to 27th Dec.** Lieut A. Nash to proceed with the Survey of the Indapoor Parganna, heretofore conducted by Lieut Wingate, under the orders of Mr Goldsmid, Asst to the Principal Collector of Poona—A division order, appointing Brigadier Morse to take temp command of the division—Lieut-col Green to temp command of the Station of Belgaum, during the absence of Brigadier General Satter, is confirmed—Captain Hunter, 16th regt N I, to act as Paymaster of the S. div of the Army, vice Meriton—Lt Rudd, 5th regt, to act for Capt Hunter in command of the Police corps, and Asst Supert of Police—Ensign J. M. Brown, European regt, to act for Lieut Rudd in charge of the Poona Military Hazara—Lieut C. F. North to succeed Lieut Leech as Asst to the Supert of Honds, Tanks, &c.—Lieut W. B. Salmon, 19th regt, to act for Lieut Brown as Asst Supert of Hazara at Poona during the employment of the latter Officer on his present duty—Lieut R. J. Shaw to take rank, vice Thompson dec., date of rank 21st April 1836—Ensign H. B. Rose to be Lieut, vice Strong promoted—Lieut C. W. Maude to act as Adj. to the Guzerat Prov. batt during the absence of Ensign Gordon—Ensign J. R. Keily to act as Interp in the Hindoostanee Lan-



guage to 24th regt N I, during the absence of Captain Denton on out-post duty to Broach—Brevet Captain H. H. Hobson, 20th regt to act as Quarterm. to that regt, during the absence of Ensign J. R. Keily—Captain P. Hunter, 1st L. C., is placed at the disposal of the Commander-in-chief—The following temp arrangements are confirmed—Lieut C. Threshie, Sub Assistant Commissioner General, to perform the duties of line Adjut at Raj-cote during the absence of Lieut Anderson sick—Captain C. Denton to act as Adjut to the detachment stationed at Broach—Ensign L. Scott to act as Interpreter in the Hindoostanee language to left wing of the 1st L. C.—Lieut C. Bumes to act as Adjut to the Field detachment in Myhee Kaunta during the absence of Lieut J. B. Bellasis, and Ensign J. C. Wright, 9th regt to act as Interpreters; the former to 20th regt N I, and the latter to 24th regt N I, from the date of the departure of Ensign Kelly from that station—Lieut C. Rooke 22d regt, to act as Adjut to the detachment proceeding to Vingorla—Ensign W. Reynolds 14th regt, to act as Adjut to the Field Detachments serving in the Myhee Kaunta, during the absence of Lieut Jakes, or until further orders—15th regt N I, Lieut A. Hamerton to be Adjutant vice Mitchell resigned—Asst Surgeon Sproule is appointed to the medical charge of the troops proceeding to Calcutta, in ship "Adelaide"—Captain G. Rowley 2d L. C., to be an extra Aide-de-camp to the Governor—Asst Surgeon D. Stewart, M D, to be Surgeon, vice M'Neill retired, date of rank 1st June 1836.

#### GENERAL ORDERS.

No. 537—The Rt Hon the Governor in Council having submitted to the Hon. the Court of Directors the scheme of a Retiring Fund proposed to be established for the infantry of the army of this presidency, is pleased to sanction the receipt of subscriptions and donations on account of the same, by the several military paymasters agreeably to the following scale, pending the decision of the Hon the Court of Directors thereon. In India: Lieut-colonels 70—Majors 60—Captains 15—Lieutenants 6—Ensigns 2—In Europe: Lieut-colonels 35—Majors 25—Captains 7½—Lieutenants 2½—Ensigns 1—The rate of donation to those promoted from 1st January 1837: On promotion to colonel 5,500—To lieut-col 1,310—To major 1,070—To captain 300—To subaltern 45—Subscriptions to absentees in Europe recoverable on return to the country—Donation recoverable from officers promoted agreeable to the

number of months, difference of pay charged—Colonel 12 months—Lieut-col. 7 months—Major 4 months—Captain 2 months—Lieutenant 1 month.—Paymaster's drafts to be dated on the 1st of the month in which the subscription is realized.

**MARRIAGES.**—Oct. 8, A. Walker, Esq., M D, to Eliza, youngest daughter of the late J. Coull, Esq—17, Mr W. J. Kinderdine, Asst Engr., H C's Service, to Marion, eldest daughter of Mr D Buchanan—Nov 17, at Poona, Lieut W H Salmon 19th regt N I, to Sarah, youngest daughter of Colonel J Welsh—28. A. W Clarke, Esq, to Mary, second daughter of the late Colonel Skeene—Dec 15, at Malligam, Major G Taylor 3d regt N I, to Elizabeth, daughter of the late W Dowling, Esq, Dublin.

**BIRTHS.**—Oct 18, at Deesa, the lady of Lieut Bowen H M's 40th regt of a son—Nov, 12, at Bendorah, the wife of Mr A. M. Murzello of a daughter—13, at Tannah, the lady of H. Young, Esq, C S, of a son—24, at Colabah, the lady of Lieut W R Hayman of a daughter—25, in the Fort, Mrs Mulvery of a son—27, at Poona, the lady of Captain Goodfellow, Engineer, of a son—28, at Byculia, the lady of H G Gordon, Esq, of a daughter—Dec, 12, at Colabah, Mrs G B Smith of a daughter—At Kirkee, the lady of B N Ogle, Esq, (Capt H. M's 4th L D) of a daughter—14, The lady of Capt G. Mant of a son—20, at Byculia, the lady of Lt. H. B. Turner, Engineers, of a daughter—at Colaba, the lady of Commodore W. Lowe, Indian Navy, of a son—21, Mrs A B Boswell of a daughter—22, at Colaba, the lady of W M Brownrigg, Esq, of a daughter

**DEATHS.**—Sept, 26, at Ahmednuggur. James, infant son of Captain J D Hallett 33d N I—29, Juliana, infant daughter of the late Captain C M Daly—at Surat, Maria, wife of Lieut Thatcher 6th regt N I—Oct. 2, Edward, infant son of Mr Conductor T. Hefferman—5, at Kalludghree, Captain A F D Fraser 18th N I—14, at Colaba, Serjt J Duan—Mr W. McCulloch, late Engineer, on board the Hon Company's steamer "Hugh Lindsay"—15, Mr A De Castro—18, Seraphina wife of P. M. de Silva—21, Major J Simpson 17th N I—Nov. 4, at Deesa, Anne, wife of Lieut Bowen, H. M's 40th N I—6, at Colaba, Charlotte, infant daughter of Mr J Thompson—Dec. 1, Mr J T Callaghan—7, at Sholapoor, the infant daughter of Major Capon, 2d regt.—16, at Dapoolie, Archibald, son of Capt A. Woodburn, 25th N I—22, Brevet-captain T. Mitchell 15th regt.



THE  
**EAST INDIA AND COLONIAL  
MAGAZINE.**

• **STEAM COMMUNICATION WITH INDIA.**

The chief cause of the increasing patronage of this magazine, is, that its columns are ever open to expositions of underhand proceedings, whether observable in the E. I. Company, or in commercial pursuits connected in any way with India and the Colonies. If an official servant of the Company be ill-treated by his employers, we are the first to offer him whatever protection we can hold forth, by reason of our experience, in the "ways of the clique." If a "trick of trade" is endeavoured to be established by commercial men, our creed obliges us as rigidly to expose it as we would a "trick of office." The subject of Steam Communication with India, *via* the Red Sea, has our full approbation as to its main point, but, nevertheless, our entire disapprobation as regards certain of its elements. A paper has been in circulation, in *India*, for the purpose of procuring signatures to an agreement *to take shares* in a Major Head's scheme for opening Steam Communication, &c., *via* the Red Sea, on the pledge contained in his letter, that, eventually, a Steamer shall run to Calcutta. He, with others, has been remarkably busy in privately getting together a clique of British merchants, to form plans, prepare memorials to Government, hold conferences with official persons at home, and, in short, to forestall a public measure by a secretly framed monopoly. At any rate, such is our opinion of the matter. Now, although we are as anxious as the best friends of the proposed Steam Communication, that it should be brought to bear, we are not willing that the object should be obtained by the medium we have alluded to. But it may be asked—What reason have we to oppose this medium?—We have called it, a step towards monopoly. Still, no such intention may be really held in view by the party, although their proceedings may warrant the



supposition. Our answer to this is—Why have certain documents, unfolding a regularly organized plan for Steam Communication with India, been forwarded *privately* to that country and published in Indian newspapers, whilst scarcely a word on the subject, from the interested party, has been allowed to appear before the British Public by means of the Press in England? The way in which this question should have been brought before the Indian Public, was through their files of English newspapers, &c. Thus, the people of India might have examined the “*pro and con*” of the proposition in full. They might have been put in possession of facts and arguments which the discussion here might have elicited. But, no! had such been the case, the projectors would have had their main object defeated. A more enlightened plan of Steam Communication would have obtained, and party purposes (as the possibility is) would succumb to the national benefit. Now, the fact of the matter is, although there is no great harm done at present by the proceedings we have animadverted on, we do not like their complexion. We would have the measure receive fair play. We would rather, indeed, it should emanate from the public, than from half-a-dozen busy persons. “Individuals,” as an influential Indian Journal says “who are evidently ignorant on many points essential to a right understanding of the question.” The Calcutta “*Englishman*” proceeds at length to shew wherein such ignorance exists. Ignorance of the country whence Steam Communication from England is to be carried, is the principal objection.—And what can be a greater?

As we would not cudgel without affording our opponent the means of defence, we will now examine, in short compass, the plan this party have in view :—

“First,” says the Calcutta “*Englishman*,” “they propose to have a monthly communication from Bombay, while the competent authorities at that place, declare such a communication to be impracticable. Secondly,—although they feel the value, and, perhaps, as they consider it, the importance of their steamer starting from London and picking up the mails at Falmouth, they cannot see how infinitely more important, and, indeed, essential it is, that the steamer on this side should run through the whole line. Thirdly, they miscalculate greatly, in imagining that they will be able to keep large steamers full of passengers throughout the year, if they proceed to Bombay alone, and under this miscalculation they will fail.



"There can be no doubt that, as a paying project, if taken to Bombay alone, the steamer ought to be on the smallest and least expensive scale possible, due regard being had to dispatch. It is only by embracing the principal ports of India, bringing to each its own passengers, packets, and parcels, that large steamers can pay; and, indeed, it is only by such means that the communication can produce its full advantages. It would be a much more sensible project to start the English steamers from Penzance, with a view to maintain a *perfect communication*, with Great Britain and Ireland, than under the idea of securing such a communication with India, to confine it to Bombay, or to any one single port. It is really a matter of plain common sense when accurately viewed."

We superadd other bearings of the question, emanating from a correspondent of the *Calcutta Courier*. We shall be excused for referring to local authorities, because it is imperative that home readers should be made acquainted with the opinions floating about the different Presidencies in India, on this important matter. A free interchange of opinion will best tend to set the project on a safe footing.

"The projectors seek 40,000*l.* from the Government. Here is their fundamental error in regard to the ways and means. They do not take their stand boldly on the resolution of the Committee of the House of Commons, that one half of the expense should be borne by England, a resolution notoriously in consonance with the general feeling of the House, and which could not fail to be responded to by the whole country; they do not even ask his Majesty's Government to pay one farthing on the part of the British public in support of that measure, which Mr. Grant declared it was equally "our interest, policy, duty, and glory," to carry into effect; but they literally *offer a bribe to the King's Government!!!* They propose to do the Government Mediterranean work for 40,000*l.* per annum; the present cost of which Major Head describes as follows: "But a very close estimate has been made that the expense to Government for the performance of the same duties is 60,000*l.* or 70,000*l.*, perhaps 80,000*l.* per annum." I will let pass a close estimate giving the results of sixty or seventy, perhaps eighty thousand pounds, and leave the subscribers themselves to judge from this of the reliance to be placed on the other estimates; besides this bonus of 20,000*l.*, or 30,000*l.*, perhaps, 40,000*l.* per annum, Major Head adds, as a further bribe to the King's



Government, besides that, the communication between England and India will be thrown in as a bonus!"

"Where is there any detailed statement of probable expenditure and receipts to warrant men with ordinary discretion to commit their names as subscribers to this scheme? Even the size of the vessel is not given; all that is said is, that the annual expenditure is estimated at 123,000*l.* or 12,23,000 rupees. The returns given are alone those to be derived from the King's Government and the East India Company, and these amount to 6½ lacs, leaving 5,73,000 to be obtained from the postage and passengers from Bombay alone!! I shall not enter into any argument to show that this sum cannot be thus raised. It was the Business of the projectors to have shewn that it could, before they asked the people of India to take shares.

Who has subscribed for shares at home? not one name is given. They have a host of names to the following, and *to this only they sought the concurrence of the Liverpool Chamber of Commerce.*

"We, the undersigned, are therefore (with reference to a resolution of Committee of the House of Commons) of opinion, that if a regular and speedy communication, &c. &c., *via* the Red Sea were established, it would tend materially to promote the commercial interests of both countries, and be in various other respects productive of national advantages."

"This is all that the projectors have been enabled to shew us of the feelings of the merchants of London, when they come and ask us to take shares in their *Project*, throwing out to us the bait of a 'reasonable expectation' that they will extend the communication to Calcutta, which expression of a reasonable expectation some wise-acre here has construed into a *PLEDGE!!* I say nothing here of the sacrifice of the Indian part of the project to that of the Mediterranean, by which the correspondence of India is to be detained at Malta till the Falmouth mail may start, and not even then to be received on board unless it has undergone the process of fumigation. I say nothing of the great expenditure and little benefit to India. The objections to the project appear to be so plainly exposed in the correspondence lately published, that I need not repeat them. I am satisfied that the parties who have subscribed to the project have been induced to do so from the most anxious and zealous motives, but I do not think they have exercised discretion."



We close with reiterating our admiration of the project which would so boldly overcome the impediments of the ocean and facilitate commercial intercommunication upon so rapid a scale as would be the case were vessels to trade with India *via* the Red Sea, being the route by which experience has proved to be the most expeditious.

#### EGYPT IN 1837.\*

We have been favored by Mr. Waghorn, [whose zeal and perseverance in the accomplishment of the overland communication to India are well known,] with a small pamphlet, under the above title, which contains some very judicious observations on the present state of Egypt. As a veteran traveller, and a keen observer, this writer's opinions deserve particular attention. He has not simply ran over to Egypt to be introduced to Mahomed Ali, smoke a pipe or two with his officers, and so return home again. On the contrary, his pamphlet shows that he is personally well acquainted with the country; a qualification that very few modern travellers possess. Mr. Waghorn lucidly explains the present condition of Egypt; and in what manner the English are estimated there in contradistinction to the French; and then after satisfying us that France is taking a vast deal more trouble about ingratiating herself with Mahomed Ali than "is dreamt of in the philosophy" of England, he proceeds to shew that there is yet opportunity for us to maintain our influence, and push the French from the comfortable sittings they hold about the Egyptian throne. That such a procedure would prove politically beneficial to England there can be little doubt, but a Government that so flagrantly neglects her most valuable Colonies cannot be expected to feel an interest in Egypt.

Egypt, although, at the present time, possessing the elements of becoming an independent nation, in a greater degree than has been enjoyed by any other, except the United States of America, is still tributary to a power which she has fought and conquered.

In order to explain this anomaly, I will proceed to adduce facts, which I would vainly hope may weigh with the British Government, to their recognition of Egypt as an independent kingdom.

The following table, drawn from its army and navy at the beginning of 1836, will shew its preponderance as a nation:—

\* "Egypt as it is in 1837," by T. Waghorn.—Smith and Elder.



## STRENGTH AND DISTRIBUTION OF THE EGYPTIAN ARMY

STATIONS.	Regular Cavalry.	Regular Artillery.	Regular Infantry.	Sappers and Miners.	Total Regulars.	Irregular Mograby.	Bedouins.	Howara.	Candia and Albanians.	Total.
In										
Egypt . . . . .	1300	3200	21000	2200	27700	300	600	700		1600
Sennaar and Koor- dufan . . . . .		200	5900	200	6300		650	500		1150
Syria . . . . .	5200	6000	38000	3000	47200	800	5000	2000		7800
Candia . . . . .			6100	200	6300				1000	1000
Hedgas and Ye- man . . . . .		500	12000	400	12900	900	800		200	1900
Total . . . . .	6500	9900	78000	6000	100400	2000	7050	3200	1200	13450

The above are Regulars.

The above are Irregulars.

## STRENGTH OF THE EGYPTIAN NAVY.

## LINE OF BATTLE SHIPS.

Cairo, Acre Homs and Koniah . . . . .	4 of 110 Guns.
Mellec el Kebire, and Mansora . . . . .	2 102
Alexandria . . . . .	1 90
Abouker . . . . .	1 84

## FRIGATES.

Bahira . . . . .	1 of 60 Guns.
Reschid . . . . .	1 58
Shuringhat . . . . .	1 56
Damieta . . . . .	1 50
Nile . . . . .	Steam Frigate.

## CORVETTES.

1 . . . . .	24 Guns.	2 . . . . .	20 Guns.
1 . . . . .	22	1 . . . . .	22
3 . . . . .	20	2 . . . . .	18
		2 . . . . .	16
		2 . . . . .	10
		2 Cutters . . . . .	10

Besides, there are three Ships of the Line on the stocks, a Frigate, and a Steamer.

These were the materials with which, in 1832, the Egyptians fought, and practically established their independence of Turkey. The victory at Koniah confirmed it: and surely no man will maintain that Constantinople was not then open to the march of the Egyptian forces, under Ibrahim Pacha. And did not, I would ask, the results of that battle awaken the European Powers most sensibly to the fallen state of the Turkish empire? Nothing saved it from being overrun by the Egyptian forces, but the powerful influence of England, France, and Russia, who then thrust themselves forward, and, by threats, compelled Egypt to pause in her career of victory. Egypt complied; but her doing so, could not hide the fact that she had virtually redeemed her freedom from Turkey. Yet, from that period till now, the same fetters are kept upon her by the consent of England, and Egypt is consequently still doomed to continue as a



tributary state to the power she has conquered. The plea of expediency, probably, will be put forth to justify this: a plea which is too often adopted elsewhere, to cover unjust measures towards a particular country, for the bolstering up of another.

Proceeding to the main points of this pamphlet, I would inquire—for what does Egypt continue to pay tribute to Turkey? Is it for aid?—Egypt wants none. Is it for the soil?—Mahomed Ali redeemed it from anarchy and bloodshed, establishing in their stead order and tranquillity. Is he to pay tribute for that?

Tribute I take to be a right only when imposed by a government on a particular province of its own, which is bound to the mother country for aid, protection, influence, or some other advantage: but as Egypt neither wants, nor receives, any of these, and moreover has, most wonderfully, become strong, while Turkey, on the other hand, has become weak, I maintain that there remains no *justifiable* reason for the exaction of tribute money.

The first of these items was exacted in the true oriental style; namely, as presents for the Sultan's daughter, on her marriage. Mahomed Ali, on his part, sent 100,000 dollars. The second item, his part or portion of the Porte's debt to Russia, as the Sultan called it. What had Mahomed Ali to do with the Turkish debt? However, he sent 600,000 dollars. The third item was a trumped up affair in December last, for ten years' possession of Candia. Mahomed Ali sent 750,000 dollars. What the next item will be, we shall presently see; but mark, that all these sums are over and above the tribute money in one year, and they amount to 1,450,000 dollars. Thus is Mahomed Ali obliged to portion the daughters of the Sultan, to pay his debts, &c. &c. Is not this opposed to common sense, and therefore intolerable? Nay, it is monstrous, that the very sap of Egypt should be applied to objects so foreign to the benefit of that country.

Now I would ask, why Turkey should be tolerated in such extortions?

In Egypt, I ask, to be the only nation of the world that is not to be permitted by England to work out her own independence, through her own means, when England allows that right to all other countries? Am I to be told, that *she must* remain a province of the Porte, now she is its superior in every thing that constitutes power?



When Mahomed Ali became Pacha of Egypt, that country had become a waste. It was partially rendered so by its having been made the field of war, where France and England fought for its conquest. Overrun by foreign mercenaries and Bedouin chiefs, cultivation was at a stand-still,—famine in its provinces,—with all the other miseries attendant upon war. How is it now? I find it improved in a degree unparalleled in any other uncivilized country in the same space of time. The land yields more and more luxuriantly, thus supplying to Mahomed Ali the means of working its civilization. Having restored the productiveness of its soil, he next turned his attention to teach his people to protect their own land, without the aid of foreign and profligate mercenaries. He then endowed schools, which accommodate, with comfort, upwards of 20,000 youths, most of whom are taken from the mud huts of the Nile; and, as age and education fit them, they are placed in offices of trust and emolument; whilst the most intelligent of them are sent to England and France, in pursuit of knowledge, which they even now begin to impart to others.

From such sources, and with such means, Egypt's regenerators are now springing up by hundreds, encouraged by the example of their more than father.

Egypt is continually receiving checks from the hands of Turkey, that impede or stagnate the great work of civilization, which would otherwise roll on in its own course. I have before mentioned those checks, in the shape of extortionate demands of tribute money; besides these, the large force, both on land and sea, which Egypt is obliged to maintain in self defence against Turkish tyranny, naturally impoverishes her. This last evil, however, must and will be submitted to so long as Turkey, backed by England, France, or Russia has the power to menace her. Indeed, this armed position is absolutely necessary, to secure to Egypt even the produce of her own soil, which would otherwise be taken by Turkey; but the greatest evil of all is, that the men composing this large naval and military force, are wanted in a two-fold manner in Egypt:—1st, to increase its fertility, and, 2dly, to assist in populating it.

The Turkish Government, by its successive depreciation of the coin of that country has involved herself, past redemption, in all the ruinous consequences of such a suicidal policy. To give an idea of the extent to which this barbarous mode of meeting a financial emergency has been carried on in Turkey, I



need only refer to the reign of the present Sultan, who has been, I know not upon what grounds, eulogized as the reformer of Turkey. I find the rate of exchange of Constantinople, upon London, in 1818, thirty-one piastres the pound sterling; at the present time, (1837) I find it is at 100 piastres; thus, in the interval of less than twenty years, the rate of exchange has advanced more than 350 per cent.; and as this has taken place in a country from which the exports are invariably more than the imports, it must be referred to some other cause than the natural course of commercial events; in fact, it has arisen from the successive depreciation of its currency, which has, during the last twenty years, been nine times debased by the Turkish Government, to the manifest impoverishment of the country, the ruin of the foreign merchants, and the destruction of its own hopes of future prosperity; that Government only thinking of what they might gain at the moment, in robbing their own subjects and creditors by such acts of oppression,—a policy which is sure to unhinge, in the end, any nation. It must be evident, that bound as Egypt has been, by the heartless state policy of England, to the fatal destinies of the Turkish Empire, the Government of Mahomed Ali—enlightened though it be by the councils of as eminent Christian merchants and financiers as any in Europe, and fully aware of the ruinous effects of any violent alteration of the standard of value,—has been the innocent victim of the barbarous monetary policy of Turkey. The Government of Egypt has, at times, thus seen its people impoverished; its foreign merchants embarrassed in their legitimate commercial operations, and the best interests of all classes sacrificed; but the cause of all this has originated in an Empire, virtually separated from the country upon which it inflicts so much evil; over which it neither has the power, nor can pretend again to have, in herself, even the hope, of enforcing homage or obedience.

• What a field is there open to some aspiring and intelligent Member of the British Parliament to take the lead in the great work of Egypt's independence!—at any rate, of her freedom from the misery that attends Turkey.

The disarming of Egypt would give such an additional stimulus to that country, that it would then go on progressing in every thing twenty-fold. All that is necessary to effect it, is, that France and England acknowledge Mahomed Ali, and his heirs, as the sovereigns of the soil of which they now enjoy the



Pachalics, and intimate to Turkey that such is the will of the powers.

The co-operation of Egypt, situated, as she is, half-way between us and India, is ~~only~~ wanting to fix our Eastern empire firmer than it ever can be by any other means. Our troops from Malta, Corfu, and Gibraltar, with those of our Egyptian ally, might by the steam vessels in the Red Sea, be towed to India in twenty-five days; we have, therefore, only to make our compact with Egypt, and secure, as it were 50 or 60,000 men as an army of reserve for India; the Egyptian troops being always ready to aid us in India, and thus that bug-bear, *Russian invasion of our Eastern territory will exist no longer.*

I will venture to assert, at no period of the present generation, did the English name and character stand so high in Egypt as it does now; while, on the contrary, at no period has there ever been so little English interest in Egypt, when compared with the interests of other nations in that country.

I maintain that every thing in Egypt is growing French; I find this from the following facts, all falling under my own observation in Egypt:—

1. With respect to the Egyptian army, Sulieman Pacha, a Frenchman, is second in command of it.

2. With respect to the Egyptian navy, Besson Bey, a Frenchman also, is its second in command.

3. With respect to its medical department, Clot Bey, a Frenchman, is Physician General-in-chief, with nearly a hundred medical French practitioners under him, in Egypt, Syria, and Arabia.

Lastly. With respect to the engineering department, that is under Monsieur Linant, a Frenchman also.

Mr. Waghorn concludes by asserting his firm conviction that England might reap powerful advantages, by cultivating a more extensive connection with Egypt; but, probably, he will have to wait the construction of a better Ministry than the present, ere his wishes can receive the attention they deserve. Much may be anticipated, however, for Egypt, when the notice of Government, and Steam Communication, shall go hand-in-hand to create an interest for that country amongst commercial men.

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## THE INDIAN PRINCESS BEGUM SUMROO AND HER COURT.\*

We have already noticed a work on "Modern India," by Dr. Spry. We are now favoured with Lieut. Bacon's "First Impressions" of India—a production of a more interesting class. On perusal of these volumes, we met with sketchy writing of an imaginative and nervous cast, that would do honour to such writers as Gleig and Gratian. Nor is there a want of imagination from first to last of these chapters. *En passant* we must say that Lieut. Bacon's knowledge of character befits him in our opinion for a dramatist of no mean order.

A few pages of the work are, we regret to observe, soiled by some delineations of Anglo Indian Society which, if true, possess anything but a moral tendency, and if fictitious are altogether unwarrantable. For instance, the story of young Howard forms the most awful picture of a ruined and debased character we ever met with. This Howard, it appears, was one of the gayest and most reckless of the young officers attached to the Army of India. He was at the head of a small junta of debauched dare-devil men, who, as the "Hell Fire Club"—(elegant expression!) enjoyed a reputation for every species of profligacy. They were notorious as daring gamblers, libertines and professed atheists. We are told that some years since, in a wild frolic, smarting under a number of evils, to which they were subjected in consequence of their blasted characters, Howard and two of his boon companions actually affixed their names in blood to a vile compact for depriving themselves of their wretched existence. It was arranged that the *trio* should *drink* themselves to death by swilling neat brandy; but if one or all, failed in the object, it was planned as a *sine qua non*, that whoever survived should commit suicide at once after the most approved fashion. The project was no sooner formed than executed. Howard alone outwitted his quondam associates in his libations. Finding them to all appearance dead at his feet, he madly seized a razor and inflicted a frightful gash across his throat. He, however, it seems, recovered, as did his companions, who laughed at him for esteeming their drunken compact so immutable. Now is not this a horrible detail!

\*Of all state of society that of the Indian Presidencies would appear the most debauched. In Paris, pleasure is pursued under

\* Bacon's "First Impressions and Studies from Nature" in Hindostan. 2 vols. 8vo., with plates.—W. H. Allen and Co., Leadenhall-street. 1837.



a flimsy veil of refinement; in London, fashionable society has licentiousness enough at the core, though it is kept in the back ground; but in the Presidencies, (Calcutta in particular) according to Lieut. Bacon, animal enjoyment "*goes the whole hog*," being as unrefined as the simile we have drawn. The love of the bottle is the prevailing vice in India. The crack sporting correspondent of our esteemed contemporary Fraser, has astonished us with his "*bottle*" experience, but "*Nimrod*" must "*roll under the table*" before the startling statements of Lieut. Bacon. The latter authority informs us that he has witnessed a brother officer in India partake in one day of sunny glasses of *brandy pani*, (brandy and water) and then in "quick succession" pour down his throat nine consecutive quarts of beer. This toper, moreover, boasted of regularly consuming on an average a dozen and a half bottles of beer daily! Yet he was known to be as sober a man as a temperance member. He could follow up his potations by taking a hand at whist, and playing his cards with the imperturbable coolness of a De Roos. Again, says our author, "I have beheld an officer in the mess room of his corps take down one of the candle shades, and stopping the brille at the bottom with his hand, *pour into it two quart bottles of Brown's Cantenac claret*, which he has drunk off without once removing the glass from his lips, and he afterwards discovered no symptoms of inebriety." A Gunner of the troop to which Lieut. Bacon was attached, used not unfrequently for the sake of a small wager to drink a dutch square, containing half a gallon of proof rum, and go through his drills, &c. directly afterwards, as if nothing had happened. Now all this is either actual gull-baiting, or so many of the most disgusting facts. Even Dr. Millengen and his lying "*Curiosities of medical experience*," do not so presumptuously attack our gullibility. Lieut. Bacon, however, tells his stories with sufficient gravity.—Indeed, he observes of the above bibulous accounts, "that however wonderful and wonderfully disgusting" they are nevertheless, known facts in India. To be sure, if the Anglo-Indian did not 'moisten his clay' considerably, the possibility is, he would soon be found a mere heap of 'dust' under the effects of a tropical climate.

With such stories and such facts as the above is the present work spun out. Here a chapter in imitation of a fashionable novel—then follows something less flimsy—an excursion into the country perhaps, or some really interesting observations on the local government—scenery—curiosities—the aborigines,



&c. These sketches of Hindostan will never be deemed a dull book, and they have some claims to be estimated as a useful addition to such productions as ~~Miss Roberts's~~ and Dr. Spry's accounts of the same country. Lieut. Bacon will, perhaps, write again. His literary qualifications will not discredit any effort he may make for the amusement of the reading public.

— Although we speak of the lithographic illustrations of this work "last," they must be considered by no means "least" worthy notice. We admire the graphic powers of the author's pencil in delineating Indian scenery, as much as we do his literary talent. Each volume is liberally supplied with a dozen or more of well executed sketches from Lieut. Bacon's own pencil. We congratulate him on his possessing the double qualification of catering as successfully for public esteem by his pencil as by his pen.

The following extract is a specimen of this writer's best style :

THE BEGUM SUMROO AND HER COURT.

" I will now pay a visit to the *jaghir* of the notorious old Begum Sumroo, or, to give her titles at full length, her highness Furzand Azuzai, Oomdootul Urraikeen, Zeb-ul-Nissa, Begum Sumroo, who resides, and has her court at a small town called Sirdhana, about thirty miles N. E. from Merat.

" The Begum's little territory takes the name of Sirdhana, from the principal town within its boundaries; it is about twenty miles in length, by twelve in breadth, and is now rich and well-cultivated, yielding a revenue of twenty-five *lakhs* annually, or £250,000; leaving her, perhaps, a net income of one-half, having deducted her dues to the British Government, and the maintenance of her little army. The old lady enjoys the right of judicature upon her own ground, but, in criminal cases, she is obliged to inform the British Government of her intention, before she can bring a man to capital punishment.

" The Begum has lately expended a very large sum in building a palace and popish church at her little capital. The former is a handsome and spacious building, though still unfinished: the rooms are very large and well-proportioned, and the furniture costly, though heterogeneous and badly arranged. Like all similar attempts among the Natives at an imitation of European style, the whole establishment is a mixture of grandeur and bad taste.

" There are a great many paintings about the palace, but most of them are miserable daubs by Natives. One or two



portraits by Beechey, and a few specimens of Chinnery's landscapes, are valuable; and there are, among a cart-load of trash, three or four good likenesses by a Native painter, Juan Ram, who has certainly more of the art in him than any other black man with whom I have met.

"Before noticing subjects more particularly the Begum's, it would be but proper to give a slight sketch of the history and person of this extraordinary woman. Her maiden name was Zeb-ul-Nissa (ornament of the sex); she was by birth Cashmerian, but by family Georgian. While quite a child, she was the companion of *Nauchnies*, for which life she was herself educated; but Fate decreed that she should make other people dance instead of being herself obliged to dance for their amusement. In the course of her wanderings, she was seen by Summers, an adventurer, who being charmed by her personal attractions, more particularly her fair complexion and lustrous eyes, made her his favorite concubine, and subsequently married her.

"Summers was a man of obscure origin, a native of the Electorate of Trier. He entered the French army under the name of Walter Reinhard, from which he deserted, and, in the year 1760, arrived in Bengal, calling himself Walter Summers. In Calcutta, he obtained a post as a warrant-officer in a Swiss battalion; from this service, however, he deserted, in hope of something better among the French at Chandernagur; but here he did not appear to have pleased himself, for he quitted them with as little ceremony as he had hitherto used with others, and pushing his fortunes further westward, he entered as a common trooper the service of Zafdir Jung, one of the Lucknow princes. Desertion had, however, become habitual with him, and for consistency sake, he again stole away and offered his services to Meer Kassim Alli, the Nawab of a large district in Bengal: this chief, taking an especial fancy to the adventurer, advanced him to some little notice, and raised a corps of Infantry especially for his command.

"Meer Kassim then held his headquarters at Patna, and was glad to obtain the assistance of one versed in the European mode of warfare; for he found himself continually at variance with the English, who had a large factory within the place, and who kept a body of troops in the neighbourhood for its protection.

"Soon after the arrival of Summers at Patna, Mr. Ellis, the superintendent of this factory, had a dispute with the Nawab,



about the passage of some supplies up the river, and the Nawab, rendered insolent by the possession of his new ally, exasperated Mr. Ellis by insults to which English blood would not submit. Collecting his forces, Mr. Ellis made an attack upon the town, and though very far inferior in numbers, he directed his operations with so much skill and spirit, that he quickly drove the black man from the walls, and carried the place by storm. But the advantage which the Europeans had thus gained by their superior warfare and courage, they as quickly lost by their imprudence. No sooner had they taken possession of the place, than they dispersed through it in search of plunder and drink; so that Meer Kassim, having again collected a sufficient band, had little difficulty in retaking the place, making prisoners of nearly all the Europeans.

"Elated with his success, Meer Kassim then marched out to meet Major Adams, who, having heard of the disturbance at Patna, was hastening to Mr. Ellis's assistance. The Nawab's troops were too weak to offer any effectual opposition to Major Adam's force, but they succeeded in deterring them from entering the town: the Major, unable to effect any good here, made an unexpected march during the night upon Monghir, and by a sudden attack, carried this treasured strong-hold of the Nawab.

"The news of this loss so infuriated Meer Kassim, that he gave immediate orders for the massacre of all the prisoners whom he had taken in Patna, and he pitched upon Summers as a fitting instrument of so horrible a deed, offering him a large reward for the execution of it. This man's avarice and villany were alike disgraceful to him; he entered at once into the project, and the means and manner of the act were utterly revolting to humanity. Meer Kassim, with every profession of sincerity, invited his prisoners to a magnificent feast and *ndutch*, which they, quite unsuspecting of his perfidy, gladly attended; and while they were enjoying the entertainment and conversing in all confidence with their host, Summers suddenly entered the apartment with a band of armed men, and cruelly put them all to the sword, while the wine-cup was still at their lips.

"Meer Kassim, immediately after this, succeeded in retaking his fort of Monghir, and held it against the English during a siege of nine days; but, finding that he should be obliged to surrender the place without capitulation, he fled, with his officer Summers and a few followers. Summers, however, was not the man to adhere to the broken fortunes of a fallen master;



he almost immediately deserted, and entered the service of Suja-ud-dowla, son of Zafdir Jungo. There, however, he did not long continue, and his restless discontented disposition led him to serve successively with seven or eight different masters; until at last he was taken into considerable favor by Neujif Kahn, for whom he performed many valuable services. Neujif Kahn, in return for these good offices, rewarded him with the present *jaghir* of Sirdhana, the value of which was even then considerable. Although but imperfectly cultivated, it yielded a revenue which enabled the adventurer to live in much state and to amass a large quantity of treasure.

At this time Zel-ul-Nissa, whose ambitious and enterprising spirit struck at whatever was within its reach, employed all her arts of fascination to wheedle her master into marriage, offering to embrace the popish religion, which he affected. She was successful in her allurements, and her energetic and nervous mind soon assumed the entire guidance of the territory. Her avarice and love of command, however were insatiate, and being of a heartless tyrannical disposition, she allowed nothing to stand between her and a desired object. She grew weary of the restraints imposed upon her by her lord and master, and laid a deep scheme for his destruction, hoping to succeed to the sole command and inheritance of the *jaghir*. This she managed with the most consummate craft and policy; for, in the year 1776, she got rid of her husband, and managed to play her cards so skilfully with the British Government, that she was duly instated in possession of the *jaghir*, upon condition of her furnishing for our service three battalions of irregular infantry.

Many inducements combined to render a release from her husband desirable to the Begum; his low debauched life made him an object of disgust to her eventually. More especially her jealousy was roused by a passion which he had conceived for one of her own slave girls, and this is supposed to have led immediately to the bold project by which she rid herself of him. She entered into a conspiracy with those of her household upon whom she could depend, and concerted a scheme no less remarkable for the cunning and dexterity with which it was executed, than for the revolting barbarity with which it was conceived.

(To be continued.)



### THE MILITARY STATION OF HAZAREEBAUGH.

This station is situated in the Behar District, Bengal Presidency, in north latitude  $24^{\circ}$ , and east longitude  $85^{\circ} 30'$ , and consists of 650 acres of land; bounded on the west by the tazar, running parallel with the barracks, at the distance of 1,100 feet, and on the north, east, and south, by gentle risings and depressions of ground, generally in a cultivated state.

The site of the Cantonment is elevated about 1,005 feet above the level of the sea, and the mode of communication is by the great military road from Calcutta to Benares, which runs along the north side of it; but the facilities it affords are extremely limited, from its not having been repaired for the last two years, in consequence of which, in many parts, it is nearly impassable for wheeled carriages of any description.

The prevailing winds are generally westerly, but often veering towards the north, and blowing strong. Towards the cessation of the rains, easterly winds are common, but at their beginning and termination generally variable. Southerly winds prevail chiefly at the commencement of the hot weather, and towards the close of the cold, at which latter period they are generally attended with fogs in the morning.

No mountains of any altitude or consequence are near, except four isolated, oblong, and conical shaped hills, situated at the distance of from  $2\frac{1}{2}$  to  $4\frac{1}{2}$  miles, and lying N. E. E. S. E. by E., and S. E., and varying in height from 300 to 500 feet above the level of the station. There is a long low range of hills running W. S. W. at the distance of 10 or 12 miles, but not affording any advantages for sick or convalescents, from their bleak and exposed situation.

The sea is about 180 miles distant from Balasore Bay, the nearest point. There are no rivers or lakes near the station, but wells are numerous, and the water excellent, and procurable to any extent, at the depth of 30 to 40 feet. There are no morasses, or canals, and the undulating nature of the ground drains the water off very quickly, even after the heaviest falls of rains.

The climate for four and a half months, from 1st November to the middle of March, is cool and bracing, and children, the offspring of European parents, are as rosy in the complexion, and as healthy as any I have seen in Britain. The soldiers themselves, and their wives, look equally well, except where the system has suffered from residence in Bengal, and even there are much improved in their appearance since their arrival here.



The soil is composed of a mixture of alluvial clay and sand, over a deep substratum of red gravel mixed with a layer of black vegetable mould, which greatly promotes vegetation. Its elevation above the level of the sea has been already stated under the first head of detail; but I have not been able to ascertain its height above the Ganges at Patna, 134 miles north of the station.

No rivers, or tanks, of any magnitude, being near the barracks, so as to be available, all the water for drink and culinary purposes is obtained by digging wells to a proper depth, when it is found to any extent required, and in a very pure state, from its percolating through the porous soil and gravelly substratum.

The period of the year when noxious exhalations are most abundant, is at the termination of the rains, in August and September, particularly in the latter month, when the ground becomes dry and emits deleterious miasmata.

The vegetable products at the station, are timber of various kinds suitable for all the purposes of building and agriculture. In the immediate vicinity, rice and corn are raised, and a small quantity of opium, with an unlimited supply of vegetables of every description. Fruits are few in number, and, with the exception of those raised in the gardens of Europeans, of an inferior quality. However, when grafting becomes more common, the fruits will improve.

The domestic animals do not differ from those found in Bengal, and the wild ones are no less daring. The chief is the tiger; next the leopard, black bear, hyena, and wolf; also jackalls, jungle cats, deer of various kinds, and hares.\* Tigers and leopards, are so dangerous, that a reward is given by Government for each that is killed, and numbers of them are brought into the station almost every week.

The mineral products, so far as they have come within my observation, are lime-stone, in various states of combination. Iron, granite, coal, sulphur, quartz, and mica.

Agriculture is carried on in a very rude state, similar to that in other parts of India. The plough being nearly all composed of wood, merely scratches the surface. Their harrows are simply a few branches with a block of wood laid across to steady them. The system of cultivation is by irrigation, either from artificial tanks or wells, and where these are wanting, by raising banks to retain the rain water, the ground being previously levelled.



The roads and communications are very defective, and, with the exception of the military road that runs through the district,—itself in an almost impassable state,—there is nothing of the kind that I have either seen, or heard of;—only tracks across the plains, through cultivated fields, and over hills that even horses journey over with reluctance.

The diseases, endemic and epidemic that have been observed here amongst the natives are of the former class: fevers continued and remittent, dysentery, and small pox; of the latter, cholera is the only one that I have heard of, and it often makes great havoc amongst them. No case of hereditary disease has as yet come under my observation. No manufactures are carried on here. From report I have been led to understand that the prisoners employed on the new line of road between Benares and Calcutta have suffered severely from disease, the true nature of which, I have not had, up to this period, the means of ascertaining.

The population in the district is much scattered, but congregated into villages for protection from wild beasts. I am not aware of their numbers, as no census of them has yet been taken.

The Bazaar is situated in the centre of the officers' compounds, at the distance of 1,100 feet in the rear of the Barracks, and consists of one principal street with a few lateral ones on either side. It contains about 4,000 inhabitants, but the number is daily increasing. The banyas and others in good circumstances, are well clothed and housed, but their furniture is simple,—a plain charpoy (worth a few annas) and a quilt compose their bed and bedding; a brass lota and dish to hold their diet, with an earthen pot or two to cook in, embrace all their simple requisites. The poorer classes, such as coolies, &c., have simply a dhotty to cover their nakedness, a cloth spread on the ground for their bed, with an earthen pot to cook in, and a few leaves serve them for dishes. The diet of the richer class consists of ghee, rice curries, or kedjerco; of the poorer, of plain boiled rice, and occasionally grain. A few of their houses are built of sun-dried bricks; but by far the majority of mud, and a good many of chatties. Almost all of them are tiled to guard against accidents from fire, which, notwithstanding, are very common. The fuel consists chiefly of wood, but many cannot afford that, and have recourse to dried cow dung. Their employments, customs, and amusements, are similar to that in other parts of India.



I have no knowledge of the peculiar mode of cure adopted by the inhabitants here when sick. The poor are numerous—almost naked, and their state appears wretched. Children, as soon as they can crawl, are left to nature, and not being encumbered with cloths, early acquire the use of their limbs, and a rickety or deformed child is rarely to be met with.

Marriages appear frequent, but no records of the births, diseases, or deaths, are kept; therefore, no satisfactory account of them could be obtained.

I have not heard of any endemic diseases of cattle, but the lower order of domestic animals, such as dogs and poultry, have been observed to have been affected by disease at the commencement of the hot season,—the former principally in the nasal fossæ, and delicate membranes connected with respiration, assuming in the course of the disease, all the symptoms of distemper met with in Europe;—the latter were affected with pustules on the head and eyes, which spread to the air passages, and brought on symptoms approaching suffocation.—*Oriental Observer.*

## THE PROGRESS OF NATIVE EDUCATION IN INDIA.

In a previous examination of this subject we expressed our scepticism as to the benefit which might accrue from the existing system of infusing the principles of education into the minds of the natives of India. The exertions have been great towards the grand object, but unfortunately, the lever has been clumsily applied; so a vast deal of labour has been uselessly brought to bear on a point that might have been more effectually carried by the application of better mechanical knowledge. The extant plan of education is not wholly objectionable; what we (with others) complain of is, that it wants more ability in its direction. A vastly difficult task has been undertaken. They who have had the temerity to undertake it have moved a false step or two at the very threshold of their work. Let them therefore be advised;—let them retrace the rugged road they have wrongly taken, and starting from the one which reasonable advisers have macadamized and marked out for them; let the committee sitting on the project of Native Education, warily and steadily advance to the attainment of their object and the consequent honors attendant on their success.

The Education of the Natives of India now occupies the attention of Government. Twenty-seven seminaries are superin-



tended by a committee consisting of the highest members of the Company's service. These seminaries have been and are extending from the Provinces accustomed to British rule, to those hardly as yet acknowledging our Government. A sum of two lakhs and a half of rupees, contributed chiefly from the revenues of the State, has been devoted to this object; and all this is but a preliminary step to the Education of all India. These powerful resources only want, what they will now speedily have, a careful and able hand to distribute them. Feeling satisfied that such will be the case, we shall repress all further complaint against the past mal-administration—we will rather look forward anticipating our best expectations accomplished. In this spirit we proceed to notice the present report of the committee.

An opinion obtained a quarter of a century ago that "the ignorance of the people was in fact the safeguard of our empire in the East." Inasmuch, however, as the gradual dispersion of the film from the minds of the natives has occurred, it is not yet observable that the aphorism above quoted is likely to hold good. The State advances in stability, the people in knowledge. It seems most probable that as the Natives acquire knowledge and reason, the latter quality will induce them to love their fostering Government, rather than oppose it through an ill judged spirit of independence. Indeed there is sufficient proof that the educated Natives do estimate their Government according to the idea we have formed. We shall adduce the general operations of the committee by first extracting the following from their report:—

"The number of colleges and seminaries established previously to 1835 did not exceed fourteen; and they were the following:—

Calcutta

{ Hindoo (Anglo-Indian) College.  
Mahomedan College.  
Sanskrit College.

Moulmein.

Houghly.

Moorshedabad.

Bhaugulpore.

Benares.

English Seminary.  
Sanskrit College.

Saugor.

Allahabad.

Agra.

Delhi

{ English College.  
Oriental College.

"In the past year seven were added to this number, viz.,  
Medical College Calcutta, Pooree, Gowahattee, Dacca, Patna,



Ghazeepore, Meerut. And there are now in course of establishment, and which will come within the sphere of the next report, six, at the following stations: Rajashahye, Jabbulpore, Hushangabad, Furruckabad, Bareilly and Ajmere.

"Each of these institutions is under the charge of a local Committee, selected from among the European and Native gentlemen of the place, under whom are the officers of each seminary, while the local committees act under the control of the general Committee.

"The sum expended by the Committee in the support of this ramified system of instruction during the past year was Rs. 2,54,273-2-6, and it was appropriated in the following mode:—

ENGLISH SEMINARIES.		
Hindoo College, Calcutta	81,635	2 10
Medical College, ditto	39,960	13 11
Benares English School	9,931	7 4
Delhi ditto	9,538	2 1
Allahabad ditto	9,706	14 5
Saugor	1,273	0 7
Bhaugulpore School	3,592	9 11
Agra College, part English, part Oriental	17,422	9 10
Midnapore	41	8 0
Hooghly College	26	0 0
Patna School	4,195	5 4
Dacca School	3,788	14 10
Gowahatteo	2,794	8 11
Ghazeepore School	1,924	13 6
Meerut	3,711	8 6
Pooree School	376	0 0
Singapore ditto	18	0 0
Moorshedabad Nyzamat College	76	14 6
Rajah of Rewah	11	1 0
Moulmein School	55	7 6
	1,40,093	14 11
ORIENTAL SEMINARIES.		
Sanskrit College	18,934	8 0
Madrasa	33,877	5 11
Benares Sanskrit College	16,800	15 8
Delhi Oriental College	15,441	0 7
	85,056	14 2
CONTINGENCIES.		
Committees' Office, &c.	12,519	8 0
Book Depository	2,067	3 8
Books bought	10,902	15 4
Printing	2,430	7 4
Extras	1,182	5 1
	29,139	5 5

"This classification exhibits the distribution of the funds between the students of European and Oriental learning, the proportion of proportion extended to them being in the ratio of 140 of the former, to 85 of the latter.



"The proficiency of the students at the various institutions is in every case encouraging; in some instances surprising. In the older institutions, such as the Hindoo College, the progress which has been made shews that some of the more advanced students are approaching that scale of general knowledge and familiarity with the English tongue, which will enable them, in two or three more strides, to appreciate the highest order of periodical literature in Britain, the Edinburgh, Quarterly, and other reviews."

The following is the abstract of the number of students studying in the institutions under the control of the Committee, on the 31st December last :—

Calcutta	Hindoo College	407
	Mahomedan College	132
	Sungskrit College	185
Pooree		25
Moulmein		106
Gowahattee		113
Dacca		136
Hooghly		121
Bhaugulpore		106
Patna		135
Ghazeepore		42
Benares	English Seminary	136
	Sungskrit College	282
Saugor		453
Allahabad	English School	109
	Oriental ditto	80
Agra		380
Meerut		112
Delhi	English College	188
	Oriental ditto	197
Total		3,398

Just before Lord W. Bentinck quitted India he promulgated the celebrated edict of the 7th March, 1835, in which he declared it to be the opinion of the highest authority in British India "that the great object of the British Government should be the promotion of European literature and science among the Natives;" and ordained, that the appropriation of public funds to the printing of Oriental works should cease, and that the stipends of the students in the various colleges as they lapsed should not be renewed, because this afforded an artificial encouragement to branches of learning which, in the natural course of things, would be superseded by more useful studies. In consequence of this order from which an appeal has gone home (as we understand a local authority) the printing of the original Sungskrit classics, and of Arabic translations ceased; by which large additional funds accrued to the committee, who



devoted the amount without delay to the establishment of six additional schools at a monthly expenditure of 1,765 rupees. The benevolent direction given to these spoliated funds—we mean so far as the Sanskrit classics were concerned, for there was no object in continuing the Arabic translations after Dr. Tytler had left the country—barely mitigates the regret which every man must feel who can estimate the value of ancient and Asiatic researches. We still cling, says the above authority, to the hope that the British Government will not be unmindful of the character it has to sustain in Europe, and the position it occupies in India, but stretch forth a hand to rescue from destruction, memorials of all that was great and intellectual among one of the most ancient people on earth. The preservation of these records from the ravages of time is a duty which the British Government owes to itself and to the country, and no efforts for the introduction of European knowledge among the natives can extinguish the obligation, or relieve the representatives of Britain from the charge of barbarism if it be neglected. The works to which we refer are limited in number, and the annual revenue of two thousand, out of the millions of acres which enrich our treasury, would be sufficient in a few years to place these testimonials of the ancient history, literature and philosophy of India, beyond the danger of being lost.

The prohibition to revive the lapsed stipends of students has produced the following results. In May, 1835, there were 845 stipendiary students, receiving in the aggregate 2,950 rupees monthly. In the twelvemonths succeeding that period, one fifth of them had fallen in, leaving a sum at the disposal of the committee for the general purposes of education of 623 rupees a month. At this rate of diminution, the whole number of existing stipends would cease in five years, and thus add to the education fund the monthly sum of 3,000 rupees. The report does not afford any specific data for judging how far the rule regarding stipends has affected the institutions by which they were enjoyed. We have, therefore, no means of ascertaining whether the non-stipendiary students are likely to keep up the strength of the colleges to the extent, which, under the operation of the resolution of March, 1825, would allow of the continued support of the teachers from public funds.

The report states that the general committee of public instruction have determined to form a library at each of the seminaries established by them, and have imported a large number of works from America, and commissioned a still larger



supply from England. They comprise every variety of works in literature and science; and when completed will stand in about £2,700 or 27,000 rupees. The selection, however, does not appear to have been made with too much care, for we learn that the works of a moral nature, and fictions of a decidedly opposite character, are in very particular close company together in the libraries. This "will be reformed altogether;" and although we have promised to raise no more objections, we really cannot help repeating a hope many times expressed, that the committee will also reform another evil. The schools, the books, the labours of the teachers, the superintendence, the expenditure of two lakhs and a half of rupees a year are directed to the instruction of the Natives in foreign languages, which (as we are told by very competent informants resident in India) the great body of the people can never acquire,—Sanskrit, Arabic, Persian, English. It is so much money, time and labour thrown away to pursue this department of the system. A writer of some weight in India observes on this point,—

"Will the rays of knowledge, through such instrumentality, have pierced and dissipated the thick cloud of ignorance which has settled upon every city, town and hamlet in India? The answer is sufficiently melancholy. The knowledge which the committee are labouring to disseminate with such honorable assiduity, may, in the course of fifty years give us fifty thousand tolerable scholars—perhaps scarcely that number—out of the seventy millions who compose this Presidency; but knowledge must be acclimated in India through the vernacular tongues before the nation can rise in the scale of civilization. Of this truth the committee appear to be aware when they say, 'We are deeply sensible of the importance of encouraging the vernacular languages,—we conceive the formation of vernacular literature to be the ultimate object to which all our efforts must be directed.' Why then are no efforts whatever directed to this ultimate object to which all present efforts must be considered as only subsidiary? Why is not the foundation yet laid of a vernacular literature? Because, forsooth, the Corinthian capital and the elaborate stylo is not yet ready. The committee have determined to lay out twenty-seven thousand rupees on the importation of foreign works, to form a library in the various cities of India. Would not half this sum, judiciously bestowed, have secured for the country an ample supply of works in the popular languages, sufficient to unfold to thousands a new world of thoughts and ideas? It is not funds



that are wanting. The committee are already in possession of a thousand rupees a month beyond their expenditure. The lapse of stipends will put them in five years in possession of three thousand rupees a month more. What could be easier than to devote a thousand a month to the 'great object to which all the efforts of the committee must be directed?' Try the languages of the country, and see how rapidly their plastic elements may be moulded into any form of beauty and expression. Talk not of centuries; our duty is to learn the value of moments, and to improve them. While we are vainly calculating upon the boundless duration of our empire, and allotting to successive generations their respective duties, we little dream how we are compromising the stability of that empire by neglecting the duties incumbent upon ourselves. It is not by a periodical compliment to the importance of the vernacular languages that the Education Board can discharge their sacred duties to the people. The habitual neglect of those duties, while the obligation is acknowledged, will in time bring greater discredit on that body than the steady denial of all necessity for a popular literature could do. The public will judge them by their own recorded opinions and promises; and if the vernacular languages be neglected during the next five years, as much as they have been during the last five, public indignation will draw its keenest weapon from the profession of the present Report.

The foregoing able remarks have our perfect concurrence. They will have their weight, too, we expect, with the Committee. We part from this important subject trusting to find the next issued Report on Native Education in India, bearing marks of the advice which has been, in a friendly spirit, offered the Committee from various sources, as well in England as in India.

## RECOLLECTIONS OF THE DECCAN.

### SHOLAPORE.

This station has been a Cantonment since the cession of the Deccan in 1818. It was originally garrisoned by a corps of Cavalry, a regiment of European, and two of Native Infantry, with a company of European Artillery. The force now consists of one corps of Cavalry, one of Infantry, and a small detachment of Artillery with two six-pounders, forming a second-class Brigade; with a Brigadier, Brigade Major, Commissariat Officer, Deputy Paymaster, and Bazar Master. It is also a small civil



station, the residence of a sub-Collector of the Poonah District, and there is an Adawlut Court. . Situate in latitude 17d. 40m., longitude 76d. 3m., 100 miles east south east of Poonah, and equidistant 200 miles west of Hyderabad, north north east of Belgaum, north north west of Bellary, and south of Jaulnah respectively. Sholapore is an important military post, as it forms the central and connecting link between the above-named forces, two of which are the largest in southern India. As a Cantonment, however, a worse spot could hardly have been selected. The lines are most straggling and irregular. The Cavalry being located a mile from the Infantry, with a muddy nullah between the two, cutting off the communication; while both are again separated from the civil catcherry and treasury by a second nullah, which is often impassable in the rains. In the Infantry lines there is no superfluity of water at any season; and when the great tank, near the city, dries up, which usually happens from January to June, the Cavalry are obliged to water at a well a mile and a half distant, as the nullah is brackish. The lines are on high ground, the soil being hard and rocky, whereon rain makes no impression, and whereon there is no vegetation whatever, beyond the milk-bush hedges of the several compounds, and the few shrubs and flowers which have been reared with much labour and expense; for, in order that any thing may grow, the rock and ground must be cleared away to some depth, and replaced by earth brought from the low lands. In the vale between the lines, and where the soil is cotton mould, which, in the rains, becomes execrable mud, there are a few mango and tamarind trees, more or less stunted. At the back of the Infantry lines, there was formerly a large tank, but the bund burst, and it has never been repaired, as the receipts from irrigation would not repay the expenses. The bungalows are mostly thatched, and coarse-looking buildings, but many are comfortable, roomy, and well-finished inside, with ceilings, glass-doors, and windows. Glass is indispensable, on account of the heat, dust, and flies; to keep out which last intolerable plagues, gauze-curtains are required for every open window. Never, elsewhere, did I see flies so numerous and troublesome. The messes were obliged to give up their three o'clock dinners, and *volens volens*, to dine at night, solely on account of this annoyance. For several months the climate is pleasant, but from March to June or July, and again in September, a fierce north-west wind blows twenty hours daily, out of the twenty-four, and the heat is



intense. The thermometer is frequently above 100 degrees, while clouds of dust, eddying before the breeze, darken the air and penetrate into every thing. Tables and other furniture must be wiped three or four times a day.

During my stay in the Deccan from 1824 to 1827, Sholapore was remarkably healthy. In a large Brigade, we buried but one officer; and he fell in action. We had but few even temporarily laid up; while, among the men, the sick seldom exceeded a couple of dozen, many of ~~which~~ cases in the Cavalry were, of course, accidents. In 1834, however it became most unhealthy; a violent fever broke out, which rendered the Brigade almost unserviceable. Several officers died; and no less than thirteen others were, at one period, absent on medical certificates. Similar severe sicknesses have often attacked hill-fastnesses in India, or stations surrounded by swamps, dense jungle, or luxuriant vegetation; but at a place in the centre of an open plain, which is void of trees, and, indeed, aired and dried to excess, and where no jungle or hills approach within thirty miles, — such an occurrence, is somewhat remarkable.

About two miles from the Infantry, but nearly adjoining the Cavalry lines, is the Fort, which is a remarkably good specimen of Eastern architecture. The curtains, bastions, and fausse bray, are all built of the finest granite. On one side, it is defended by a spacious tank, in whose centre rises a handsome pagoda, connected by a stone causeway to the shore. On the other three sides, it is surrounded by a ditch of unusual depth and width, scarped out of the solid rock, the upper part being faced with masonry. The entrance is single, and passes through three gates strongly fortified. Within the Fort are several lofty cavaliers mounted with heavy cannon. Among these was one magnificent piece of brass ordnance, a forty-two pounder, ornamented with great taste. This superb trophy has, I regret to say, been broken up, and sold as prize property for the mere value of the material!! In shape, the Fort is an irregular oblong, whose length may be 400 yards by a maximum breadth of 300 yards.

On the west side, and immediately adjoining the Fort, is an extensive and populous *Peth*, entirely walled in, with round towers at intervals, and several gates. The principal street is wide and tolerably regular, but somewhat obstructed by petty shops, and contains some good houses, although building is expensive. The wood grown in the Province is little suited for



On this subject I may remark, that the number of local and native mints in the Deccan causes serious inconvenience, although I know not how the evil can be legally abated. These mints often issue rupees below the standard value, which reduce the incomes of the labouring classes and open the door to multiplied exactions, at the hands of soucars and monopolists; but I doubt if they could be put down by any measures short of the bayonet's point,—a measure of at least questionable expediency. The power of coining is a right of sovereignty, for which no pecuniary largess would be deemed an equivalent,—a privilege which a prince of spirit, of whom there are many in India, would surrender only with his life. It is a point on which Native feeling is, I believe, peculiarly sensitive, although I may mention an instance where it was set aside with ill consequences. About fifty miles from Sholapore, and entirely surrounded by the British territory, was a very large and rich village, belonging to Scindia, whose chief exercised the right of coinage for his master, and inundated the adjoining district with inferior coin. This was a material evil, as the rupees were necessarily refused at the Government Treasury, and heavy batta must be paid in exchange. Repeated remonstrances on the subject had been urged on the Gwalior Durbar through the Resident, but without effect, when at length that officer wrote to the Commissioner in the Deccan, that the simplest mode of putting down the nuisance, would be at once to carry off the Mint and lock it up in the nearest Treasury. The suggestion was forthwith acted upon, and executed without bloodshed. A stout detachment of troops seized and packed up the offending Mint, with its machinery, dies, &c., and carefully deposited the same in the catchery of Sholapore, where I believe it remains to this hour. This proceeding was sufficiently arbitrary and illegal, and could hardly be justified even on the score of expediency.



However, nothing further was said on the matter, and thus the evil was effectually stopped.

But to proceed with the description of the Pettah. There are several mosques and Hindoo Temples within the walls, also some tombs in the neighbouring suburbs, but none of any size, note, or beauty. Adjoining the eastern gate, however, there is a somewhat remarkable tomb, erected in memory of two brothers, Patans, who fell defending the city when attacked, and captured by our troops. These men had sworn on the Koran never to surrender to the British, and they kept that vow. Entrusted with the charge of a round, but open tower, on the Pettah wall, and early-deserted by the rest of their party, they shrunk not before a victor foe, but manfully defended their post. Attacked by numbers, they fought desperately and alone, dealing wounds and death around. They were both wounded, but quailed not; their gallantry excited admiration and they were offered quarter:—in vain they courted martyrdom, and both at length fell dead. Often as I have crossed that gateway, have I recalled to memory the fate of these gallant Patans. Had there been many more such spirits amid the millions of Hindostan, we should not now be so tamely here; our supremacy would have cost us a savage struggle.

Sholapore was captured from the Peishwa in 1818. Gunput Rao, with 850 horses, 1,200 Arabs, 4,300 other Infantry, and 14 pieces of field Artillery, having retreated before the British forces, then marching from the South Mahratta province, had taken up a strong position under the walls of this fortress, which was also garrisoned by 1,000 men. On the 9th May, General Munro, with 180 Dragoons, 3,600 Infantry, including an European flank battalion, four companies of Pioneers, and 125 Artillerymen, arrived from Belgaum, reconnoitred the position, and encamped about two and a half miles distant. He was here joined by 500 Irregular foot and 300 horse under Dooly Khan, in the service of his Highness the Nizam.

This man, a Patan, was one of the many soldiers of fortune, whom the stirring events of the preceding 40 years had raised from a common trooper to command, and merits a brief notice here. I knew the sag old fellow well; he was a brave, enterprising intelligent officer, and also a regular *bon vivant*, who albeit a Mussulman, preferred cherry brandy to sherbet, and quaffed it right merrily. For many years he was the ruler of a wide province under the Hydrabad Government, with the rank and style of Nawab; his head-quarters were at Nelldroog, a



stupendous fortress on the Boree river, 27 miles north-east of Sholapore; while his son, who officiated as his deputy or lieutenant, resided at Nandiar. Having served much with our troops, more especially in the hard-fought fields of the earlier Mahratta war, Dooly Khan had imbibed exalted notions of their prowess; which he characterised as almost beyond belief, and became much attached to European society. A rough, blunt soldier, he could boast but little refinement or manners, but was a kind-hearted, good-humoured old fellow, who loved his bottle and his joke; and stinted himself in neither. To shew his kindly feelings to our countrymen, he built and fitted up a *l' Anglaise*, an excellent bungalow on the glacis of Nelldroog, for the accommodation of European travellers, whom he treated with courtesy, and with all the delicacies of his own kitchen. To those who relished Mussulman cookery, a dinner with Dhooly Khan was a real treat. The savoury ragout, spiced rice, and smoking curries, pillau, and stews were dressed in perfection, and relieved by occasional draughts of exquisite Cogniac, or whisky, that might have soothed an Emperor! Poor old Dooly Khan! He is now gathered unto his fathers, having died at an advanced age about three years since.

But to proceed with the attack on Sholapore.

General Munro sent a flag of truce, with terms to the garrison, by an intelligent Native officer, Subadar Cheyn Sing, of the 4th Madras Native Infantry, but the Arabs treacherously murdered him under the walls. Preparations were accordingly made for assault, and the next morning the Pettah was carried by escalade. In the meanwhile, Gunput Rao, with seven guns, moved round and attacked the British reserve, which, being too weak to compete with the Mahrattas on the plain, retreated temporarily under the walls, till re-inforced by a detachment from inside the Pettah. They then, in their turn, attacked the Mahrattas, General Munro leading the charge in person, and drove the whole body—with severe slaughter and the loss of three guns, their commander wounded, and second in command killed,—under the walls of the Fort. Disheartened with defeat, the Mahratta Infantry now only thought of escape. They commenced a retreat, without their guns, and had proceeded about seven miles before they were overtaken by the dragoons and irregular horse, who instantly charged and dispersed them, continuing their pursuit until near 1,000 men were left dead in the field. Night, and the bank of the Seenab,



favored the escape of the remainder; who, however, never formed again, but rapidly made the best of their way to their own homes. A battery of eight guns and five mortars was now erected against the fort, and a breach of some size effected, when about noon on the 14th of May, the garrison sent to solicit terms, which were granted; and the next morning they marched out with their private property and surrendered the place. The captured ordnance, including the field artillery, amounted to 37 guns from a three to a 42-pounder, and ~~20~~ wall pieces of sizes. The loss of the British in the foregoing operations was 14 men killed, and four missing and four officers, 79 men, and 19 horses wounded. There is one circumstance connected with the fall of this fortress which has never been satisfactorily settled to my mind, and was but little creditable to the British name. I allude to the measures consequent on the death of Cheyn Sing. True, the family of that gallant officer were well pensioned, and so far as they were concerned, *that* was all Government could do. But something more should have been expected from the British commander, General Munro, and *that* something was vengeance. The atrocity of the proceeding demanded a memorable example, an exemplary punishment. An officer bearing a British flag of truce had been wantonly murdered? What exertions were made to discover the murderers? What effectual means adopted to secure their punishment? None, absolutely none! for aught I have ever heard to the contrary the perpetrators of that dark deed may be alive and well at this hour! Was this supineness worthy of the British character? It is certainly well to treat a gallant foe with honor, but no terms should have been granted to Gunput Rao or his garrison which did not stipulate, as a preliminary, the surrender of these offenders against the laws of war, and their instant execution. I may be told that the surrender of the fortress was important, that time pressed, that detention before its walls might have delayed the termination of the war, and that its capture by storm would have cost lives! To all these objections, I reply, that no expediency can justify the abandonment of national honor, and that I must consider that honor to have been compromised by the non-punishment of the Arabs on this occasion. It could not be too earnestly impressed on every Native power, nor too vigorously enforced by the British Government, that treachery should never pass unpunished, and death inevitably await those, wherever met, who might commit acts at variance with the laws of war.

To many of the mountains, caves, fortresses, &c, in India, as



in other lands, are attached legends more or less wild, beautiful, and interesting; some of which are sufficiently fabulous, while others are based on truth. There is one attached to Sholapore, which records the singular origin of that fortress. Unluckily, I have lost or mislaid the manuscript, and I cannot recal its contents to memory. Perhaps, Mr. Editor, some intelligent correspondent in the Bombay territories may be induced to obtain the legend on the spot, and favour your journal with the same.\*

But I must now turn to other subjects. Who has not heard of the Bengal half-batta? Who does not remember the year 1823, as the era of that political blunder and breach of good faith? The ferment of that period was loud and long; it has hardly yet subsided; and, although the energetic appeals to the home authorities did not procure that redress which justice, policy, and honor demanded, it has produced one good effect, that future governments will, probably, desist from again experimenting on the pay of soldiers. The majority of my readers are possibly not aware, that depriving the Bengal officers of batta was by no means the commencement of a new system, but, rather, what Talleyrand would call *un commencement de la fin*—a sort of terminating *coup de grace* to the head, to which the extremities, i. e., the Madras and Bombay armies, had been long before exposed. In 1827, the Madras army had remaining only seven out of thirty-four stations, or not near one-third of its numerical force, on full-batta! Those stations have now been reduced to three. The mode in which this reduction was effected, is, I believe, not generally known. The measure was projected and executed when Mr. Græme presided temporarily in the Madras Council, and reflects infinite credit on the Government of that day! It is, in some respects, without a parallel; and, unless I err greatly, my Bengal friends will admit, that it presents a grievance even more flagrant than their own. If a *positive* breach of faith cannot be charged against the proceeding, as was the case with the Bengal batta, there was certainly a breach of an *implied compact*,—the measure was, moreover, more general, extended, and cruel in its effects; affecting alike, the Native and the European,—the soldier no less than his commander.

At the above-mentioned period, the Madras division in the

\* It is a legend of some interest.



southern Mahrattah country, consisted of a troop of Horse Artillery, two corps of Cavalry, a company of Golundauze, a regiment of European Foot, and five corps of Native Infantry. By the stroke of a Secretary's pen, without warning, without cause, presumptive or assigned, the whole of these troops, except the Kaludghée Brigade, were deprived of their batta.—To appreciate the effect of such an order, at Sholapore, it must be borne in mind, that we were 600 miles from our own seat of Government; that the families of our men were chiefly at Arcot and Trichinopoly, from 550 to 700 miles distant, and that their only means of support were "family certificates," which, on abolishing the batta, forthwith ceased; that we were 200 miles beyond the frontier of our own Presidency, the civil administration of Sholapore being that of Bombay; that although the common coarse grain of the country was plentiful, rice, the food of Carnatic men was so dear (from nine to ten seers for a rupee!) that the troops were entitled to compensation money on that account, varying from twelve annas to upwards of two rupees a head per month; that fuel was scarce and expensive; that the cost of silks, turbans, and other cloths, were immensely higher than in the low country; that our men had been four years absent from their homes; and that at no period had we been stationary for 10 months together, having been continually marching and countermarching in fair weather, or monsoon, consequent on disturbances at Sindagee, Kittoor, Kolaupore, and Omraiz: and yet under all the above circumstances, the Sholapore brigade was the first to suffer by this cruel mandate.

For the officers, Sholapore was necessarily an expensive station. From the distance inland, 270 miles from Bombay and 600 from Madras, the cost of all European supplies was materially enhanced;\* for there is no water-carriage in southern India; while our servants far removed from their homes and families, of course required much higher pay than in the Carnatic or other Madras territories. Bearers received seven rupees a month, massuljies seven, grass-cutters and horse-keepers seven and eight respectively, lascars eight to nine, attending servants 10 to 12, butlers or head servants 12 to 17 rupees and eight annas;\* yet we were deprived of batta!

And now as to the manner of carrying the order into effect.

\* Beer for instance cost from 6 to 18 rupees a dozen; wines in proportion. A bag of shot 20 rupees! Every cooly from Madras cost 15 rupees. Postage was moreover heavy. One Europe packet cost me 8, a second cost me 12 rupees.—Yet they took away our batta!

† As a subaltern of cavalry, my servants never cost me less than 115 rupees a month even when I did not keep camels.



In June 1827, it was intimated to us, that we were to receive batta for that month as usual, but that for the ensuing month it would be reduced. Pleasant announcement truly! Let it be borne in mind that we had only a few days returned from a long week's scamper up and down the country after the Kolaupoor-kur, and his host of marauders, and in, the very hottest season of the year. It was an admirable occasion to deprive us of batta! Well, July passed, and our abstracts were made out, as directed, minus batta, and a very Flemish appearance they presented. It really was most uncomfortable, but what was to be done? The mandate had passed, and we had only to submit with as much philosophy as might be. The 15th of the month arrived, and pay was order to be distributed: we all looked blank enough, as may be supposed. Did any one of my readers ever jingle a light guinea on a tombstone?—because, if so, he may appreciate our feelings: if not, I doubt his imagination reaching the full extent of our misery. The poor sepoys looked wistfully at their diminished pay, for the batta to a trooper is no less than 25 per cent. of his entire receipts. They thought of their absent, starving families, and their eyes filled with tears; as they besought us to plead their hard case to Government. Our only answer could be, that “we would do all in our power—but that they were not singular in their privation, that we were all mulcted alike; and that if the sepoy lost three rupees the subaltern lost 60, the Captain 90, the Colonel 250 rupees! that it was the will of Government, and that we had nothing for it, but to receive our pay and make the best of it.” There was much heavy grumbling, and, at first, I half expected something more than grumbling; but at length we pacified the poor fellows, and, with the exception of one man, all took their pay. This one man peremptorily refused to receive his pay, and it was necessary to confine and bring him to trial for the offence.

I am aware that a soldier is never seen to such disadvantage as when haggling for pay, and it is no intention of mine to defend the conduct of the above offender, for obedience is the first duty of the soldier; but I must be permitted to observe, that in military, as in all other services, there are certain implied, if not specified, compacts; and that Government were not justified in depriving our corps of batta, when thus serving beyond the frontier, and at such a distance from their families and homes. It was painful to feel on this occasion that an implied compact had been broken, and that such was not the treatment a soldier should receive at the hands of the Government he



faithfully served. It would have been still more painful to see punishment inflicted on a brave man, however legally sentenced for a breach of discipline, when the *origo mali* was produced by unfairly diminishing that soldier's pay. It was the first time I was ever on the point of being placed in such position; I trust sincerely it will be the last; but the man was pardoned.

A singular illustration of the impolicy and injustice of the reduction is now to be recorded. Twenty-four hours had not elapsed, after our pay as above described ~~had been~~ issued, when an express arrived, directing us to be ready to march at the shortest possible notice, on receipt of further orders, as the Kolaupookur had resumed his marauding propensities. In a few days these further orders arrived, and the corps proceeded by forced marches to Eroor on the Kistnah, and it was near five months before we again returned to quarters!

It is here but justice to state, that, when the news of our movement reached Madras, the Government hastened to make some *amende* for their past error, by restoring us the batta of which we had been deprived. In the middle of 1828, however, when the new treaty of Kolaupore had quieted the country, the demon of retrenchment once more afflicted the Madras council, and our deprivation of batta was finally decreed and carried into effect. In the following year the Madras troops were withdrawn from the province, and the division transferred to Bombay.

FITZ STANHOPE.

Calcutta, August 31, 1829.

#### THE INSOLVENT AGENCY FIRMS.

*To the Editor of Alexander's East India Magazine.*—SIR, You are requested to insert in your next number the accompanying Extracts from the Calcutta journals for the information of the creditors in this country, of the firm of Alexander and Co., and the other houses in Calcutta that *stopped*.

It is the business of the creditors not to make those parties prove that the left they house in solvent circumstances, a thing which, upon the face of the balance sheets and statements exhibited, appears to have been impossible but to show from those balance-sheets and statements (and the books, if necessary, and which books are the property of the creditors) that the house never was solvent from the time of the retirement of the first of them, with capital divided off upon a *show* of "*assets*," amounting to *five millions*, which are not worth the *fifth part of one million*!

A CREDITOR.

May 15.



"The creditors of Alexander and Co. were about to take legal measures, to make the Alexanders and other retired partners, prove the solvency of the firm, when they severally quitted it. Mr. Bargrave Wyborn may yet obtain more retainers, as it was in agitation, to select some member of the bar in England, on whom the creditors could depend, and to defray his expenses to India; there being no one, except the Advocate General in Calcutta to whom the creditors were disposed to entrust their cause."—*Meerut Observer*, June 2.

"THE INSOLVENT AGENTS.

— 'Primo arulso, non deficit alter  
Aureus; et simili frondescit virga metallo' —*VING.*

To the Editor of the *Englishman*.—Sir,—There has been much controversy on the late insolvencies of the Calcutta houses, and certainly more might be superadded to it—perhaps *ad infinitum*; but there is one view of this matter which seems hitherto to have been omitted. It is this; the inference which may be drawn from the present appearances of the insolvents themselves. It is not incongruous to assert, that such present appearances do not in any manner infer either past or present embarrassments—indeed the contrary. It is absurd to imagine that recent insolvents should possess the means of exhibiting large establishments—embarking wives and children to Europe—schooling boys for the engineers at Addiscombe, or for the blues at Bordeaux. These effects are sensitive evidences of wealth—wealth above the average of that of oriental sojourners. Truly, a Senior Merchant—or a Colonel—or a *ci divant* constituent of the said insolvents, cannot now do the like; and, perhaps, he never could. Sampson of old perished with the destruction of himself and others; but the insolvent agents, like phoenixes rise again from their own ashes. Whence have these things proceeded?

"It has been replied, that the present appearance of the said insolvents may be derived from the marriage settlements of their wives. Granted; but have insolvents any right of property? Were not these settlements made by *bona fide* insolvents—abstracting the funds from their own insolvent houses? However, is this cause adequate? It has been replied, that the addition of present earnings will comprehend the sum of the causes adequate; perhaps the Commissioners of the Insolvent Court can only determine such like uncertainties.

"Again, one of the learned Commissioners is reported to



have declared, at the time of deciding, some final discharge<sup>6</sup> of insolvency, that it was his business to follow precedents, by suppressing his own feelings of admiration at the *prima facie* inferences of honesty discernible in unexamined schedules—intuitively discernible even by a Chimpanzee. This modest declaration may be the law of the Supreme Court for honesty; but Macaulay's law of the Mofussil Courts' is, without doubt, also for despotism and dishonesty. I am, Sir, yours, &c.  
 "X."

### THE COUNTRY OF ASSAM.

*A description of Assam; extent and boundaries of its three principal divisions; with notices of the state and tribes bordering on the north and south.*

The growing importance of Assam, as connecting the dominions of Great Britain, Burmah, and China, and the recently discovered fact that the tea-shrub is growing indigenous in it, will excuse our attempt to extend the interest we feel in this bordering state. We shall confine ourselves chiefly to a description of the country and its adjoining tribes, leaving an account of its government, productions, and prospects to a future number. Respecting its history, it will be sufficient for the present to observe, that it was annexed to the British territories in 1825, as a consequence of the Burman war. Since then, successively, the kingdoms or districts of Jynteah and Kachar, have been added; and Manipur is much under British influence. Thus, the British Government have, under their immediate dominion or influence, an extent of territory, on the eastern border of Bengal, more than three hundred miles in length and two hundred in breadth. We understand the political relations of the Government to be that Lieut. Charlton is the Resident at Sadiya; Major White, as Political Agent, usually resides in Upper Assam; but the authority of Captain Jenkins, the Governor-General's Commissioner, is paramount throughout the whole country. They are all, apparently, pursuing a liberal and enlightened course of policy towards the Natives under their control.

Assam is separated from Tibet, on the north, by wild hill tribes, and by the lofty Himalaya mountain; on the east, a narrow strip, only, of the Burman territory, divides it from the Chinese province of Yunnan; on the south, it borders on the Burman Empire; and westward, is Bengal. From the point



where the united waters of the Ganges and the Bramhaputra pour into the Bay of Bengal, if we ascend the Jatter river in a direction varying from north-west to north-east, till we reach the latitude of  $26^{\circ} 10'$  N., and the longitude of  $90^{\circ} 30'$  E., we find the town of Goalpara. This town, situated on the left bank of the river, is reckoned the western extremity of Assam. From Goalpara, it stretches with the river in a north-east direction, occupying the whole valley of the Bramhaputra to Sadiya, in latitude  $27^{\circ} 50'$ , and longitude  $25^{\circ} 45'$ . This valley is closed in on the north by various ridges connected with the Himalaya Mountains, and the Garo, Khasiya, and Jynteah ridges on the south. These limits include a territory full three hundred miles in length, and though its breadth is not quite uniform, or entirely defined, it may be set down at a rough average of seventy miles. Within these bounds, thus generally stated, lies that country of great fertility, and as it would seem of almost unparalleled advantages in situation, which we now briefly describe.

The whole territory is divided into three portions, Lower Assam, Upper Assam, and the country of Sadiya. Lower Assam extends on both banks of the Bramhaputra from Goalpara north eastward to the junction of the Dhunsiri with the great river, above the town of Bishwanath. In a straight line this is a distance of about one hundred and seventy-five miles; and the whole extent is strictly under British rule. Through its whole length, Lower Assam, is divided nearly in the centre by the Bramhaputra. The chief tributaries received in its passage through this division are the Manas or Bonash which comes down from the north, and joins it near Goalpara; and the Kullung, if it be not more properly a part of the river itself, which leaving the Bramhaputra near Bishwanath and rejoining it near Gowahati, forms no inconsiderable island. On the north bank of the river, the principal divisions noticeable on the map are, Bunnup and Durrung. Gowahati, the usual residence of the commissioner, stands on the left bank, seventy miles in a straight line east from Goalpara. This latter town is described as fast rising in importance, and as a mart for exchanging the produce of the whole surrounding country. Gowahati, the capital, is well laid out, and has become a populous town.

Upper Assam extends in the line of the river, on its south bank, from Bishwanath to the junction of the Dikho with the Bramhaputra; and on the north bank somewhat higher. In a direct line the length may be eighty or ninety miles. For the



chief part of its course through this portion, the Bramhaputra is divided into two main branches or channels, the northern of which is called the Buri Lobit, and the southern which has the largest volume of water, the Dikling. These branches inclose the large island of Majuli, about sixty miles in length, and from ten to fifteen in breadth. This fine island, which runs almost the whole length of Upper Assam, was once well inhabited and cultivated, but is now mostly a wilderness. About twenty miles below the upper extremity of this island, the Dikho falls into the southern branch of the great river, after running a short course from the hills on the south-east. Its banks are marked with the site of several old forts. A few miles above, the Ditung, after a longer course from the east, joins the Bramhaputra. The tract lying between these two branches, though bearing numerous traces of former inhabitants, is now entirely over-run with grass and forest-jungle. The next branch is the considerable river Buri Dibing; rising among the mountains south-east of Sadiya, it flows westward, throwing off a branch to the north, which joins the Bramhaputra opposite Sadiya, while the rest of its waters pass on and intercept the great river seventy or eighty miles below, in latitude  $27^{\circ} 15'$ , and about twenty miles above the Dikho. Thus, its two branches, it will be seen, include an extensive plain, adjoining the country of Sadiya, and bounded on the west by the Bramhaputra. This plain is almost entirely covered with grass and forest-jungle, but is sparingly inhabited by the people called Mutaks, or Maomariyas, or Morais, of whom we may speak hereafter. Their principal town, and residence of their chief, is Runga Gora, on the small branch Dihuru, along which is the chief part of the population. Thus far upon the southern bank of the river.

Proceeding in the same manner on the north side, beginning at the western extremity of Upper Assam, we find first the district of Sisi, now in a state of great desolation from the ravages of wars before it came under British rule. The next are the Meris, a rude tribe totally differing from the Assamese, and thinly inhabiting the northern bank, below the Dihong. The largest of their villages is Motgoong, where the chief or gaum resides; he has renewed allegiance to Assam, and sought protection for himself and for some of the Abors, who possess the hills on the north of them. The river, Dihong, is an object of interest, because of the large volume of water it conveys, and the uncertainty that still hangs over its origin. Coming down



from the north, from the mountainous district where the British and Tibetan territories are conterminous, it falls into the Bramhaputra about the latitude  $27^{\circ} 45'$ , and the longitude of  $95^{\circ} 25'$ . Insuperable difficulties in the channel and on the banks, have hitherto prevented its survey to any extent by Europeans. According to measurement by Captain Bedford, in 1825, the Dihong discharges 53,269 cubic feet per second; the Bramhaputra, near Sadiya, 19,058; and the Dihong, 13,000. Below the junction of these three rivers, the estimate was 120,176 feet per second. Since then the volume of water in the Dihong is nearly treble of that in the Bramhaputra, at Sadiya, it cannot be supposed to have a short course; and it may be believed, with Wilcox, that it receives the greater part of its waters from the Yaru saipu of Tibet, though it also brings the waters of the true Bramhakund. The Dibon, from the mountains in the north-east, falls into the Dihong near its mouth; the low triangular tract between these rivers, is a perfect wilderness, without inhabitants; but the highlands, to the north of it, are thinly occupied by tribes of Abors.

The country of Sadiya proper, which forms the third portion in the general division given above, is a vast plain, having the Dihong for its western boundary, the Bramhaputra for its southern, and, on the north and east, is closed in by the same mountain ranges which terminate the valley of the Bramhaputra. "The town of Sadiya, itself, stands on a small stream called the Kundil-nulla, about six miles from its junction with the great river. About twenty miles eastward of Sadiya, on the Bramhaputra, stands Sonapur, formerly a strong frontier post of the Assamese Government; beyond which, the river is navigable only for the canoes of the country. The Sadiya district has a rich alluvial soil, low, and well watered, exceedingly well adapted for the growth of rice and other crops, of which it produces two harvests annually." But only a small portion of it is under cultivation at present, though it is expected that the continuance of peace, and of the present enlightened policy which the British authorities are here pursuing, will soon work a favourable change. The district of Sadiya was formerly subject to Assam, and peopled from thence; but its present inhabitants are chiefly refugee Chamtis and Mulakhs, who were driven from their own abodes to the south-east, by the Singphos, about fifteen years ago; but, during the civil wars, these refugees passed over and took possession of Sadiya, and when the Burmans invaded the country, took part with them. They



are subject to a Kamti chief, who assumes the old Assamese title of the Sadiya Khava Gohain. He has fully submitted to the British authority.

Our survey will be completed by noticing the plains on the south bank of the Bramhaputra, opposite the district of Sadiya. These plains are terminated by mountainous ranges on the south and east; are intersected by two rivers, the Noa Dibing and the Theinga pani; and chief of the population is found on the banks of the latter river. Assamese subjects once possessed these plains; when the Singphos and Kakus, who were frequently ravaging Assam with fire and sword, not only plundering property but carrying off the people for servitude. Many of these wretched captives were restored to freedom when the British troops expelled the Burmans from the country.

In order to present a connected view of the geographical position and advantages of this country, we proceed to notice the adjoining states and territories. The long and narrow kingdom of Nipal, which skirt the south side of the Himalaya mountains for several hundred miles, does not reach to Assam, but appear to be bounded on the east by the independent kingdom of Bhotan. This latter country running the same direction, and in shape resembling Nipal, by an undefined boundary, is continuous with the north-west part of Lower Assam. Next on the east, in the same line, is the territory of the Deb Raja, the relations of which with Britain we are not well informed of. Occupying the mountainous ridges immediately to the north and west of Sadiya are various tribes of wild Abors. This name is given to number of tribes of the same origin, language, and customs; it signifies independent, and is well applied to those unsubdued and almost unknown mountaineers. Many particulars relative to them we shall mention in another place. Further still towards the north-east, among the higher ranges of the mountains, are the Bor Abors, or Great Abors, who are both more powerful and more civilized than the other tribes of the same name. The Mishmis are intermingled among these, but appear to be of an inferior race and in a subordinate condition. It is an important fact that the Sadiya Khava Gohain possess over them all sufficient influence to be able to give safe passport to pilgrims journeying by the way of Sadiya to the Lama country. The journey from Sadiya to Rohema is said to occupy twenty days, eight of which the traveller is in the country of the Mishmis and Abors, and on the sixteenth he reached Bahlow, the frontier post of the Lama country. Rohema, the



first important town in that country, reported to be a very fine city, with brick houses, three stories high, having judges, collectors, and the apparatus of a civilized Government.

Returning now to the south of Assam, and beginning in the same manner as before, from the west, we shall mention in order the chief dependent or contiguous states. These are the Garos, Khasiyas, Kacharese, and the kingdom of Manipur. Southward of Upper Assam, and of Sadiya, are the Naga hills, occupied by various Naga tribes, which seem to acknowledge more or less allegiance to the British or Burman Governments, though if we are rightly informed, chiefly attached to the latter. These several states lie along in a single tract of country, which includes the whole space between Assam on the north, and Sylhet and Burmah on the south. The river Surma rises in Manipur about the latitude of  $25^{\circ}$  north, and the longitude of  $94^{\circ}$  east, and running a general westerly course through three degrees, after passing Sylhet turns to the south-west, and empties into the Bramhaputra in latitude  $24^{\circ}$ . Between this river and the almost parallel valley of Assam on the north is the tract in question, of a breadth from seventy-five to one hundred and twenty miles, and in length extending through three or four degrees of longitude. The Garos occupy the north western part of this interjacent tract, that part formed by the great bend of the Bramhaputra to the south, after passing through Assam. They are now confined to the hilly island district, and either are or once were famous for their ferocious conduct and manners. We suppose their reputation in this respect is already much improved.

Next to the Garos eastward and southward, are the mountains of Cherra and the various Khasiya tribes. The tribes that inhabit these mountains, of which the Khasiyas are the chief, are a free, bold, robust race, fairer than their Bengali neighbours, are greatly their superiors in personal strength. They live in communities which we term villages, but which have no resemblance to a village in Britain. Each has a chief over it, who has counsellors to assist him in the administration. Of these Khasiya communities there are a considerable number scattered among the mountains, and the population cannot fall short of a hundred thousand inhabitants in all. Though once decreasing, while under the oppressions of the Burmans, they must now increase in the quiet secured by the British rule over them. The most noted mountain is that called Cherra, or Chefra Panji, which is, however, only five thousand feet high, while the



highest rise seven thousand feet. This has been well known as a sanatorium, and grateful retreat for invalids from the burning heat of Bengal. Jynteah, which appears to be either a part of Khasiya, or another name for it, has very recently come wholly under British control.

The little kingdom of Cachar, or Hirumbha, lies next westward of Khasia, with Assam on the north, Sylhet on the south, and Manipur on the east. Extending from  $24^{\circ}$  ~~to~~ north latitude, and from  $92^{\circ}$  to  $94^{\circ}$  east longitude, it is just within the temperate zone, and produces every thing necessary for the comfort of life. Within the last three or four years, this country has been taken wholly under British Government. Its aged Raja, whom the British had reinstated in his dominions by driving out the Burmans, was murdered, and as it was supposed by the instigation of the Raja of Manipur. On this event, and to prevent the latter reaping the reward of his wickedness, Kachar was immediately placed under the British jurisdiction. An account of Hirumbha, published some years ago, estimated the families it contained to be 80,000, which would probably give a population of near half a million.

We have now gone over the territories which are wholly and professedly under British rule, and last we come to the important state or kingdom of Manipur, which less is little than under the British protection.—The whole length of the Manipur valley is about sixty miles, lying between  $24^{\circ}$  and  $25^{\circ}$  of north latitude, at an elevation of about three thousand feet above the sea. The climate is considered as highly salubrious, and the natives of Manipur more healthy and robust than had been seen in any other part of India. Superior rice is raised in the valley; cotton and camphor on the hills, the former to a considerable extent. A great variety of fruits grow in Manipur, but few of them, with the cultivation which the Manipuris will bestow on them, come to any degree of perfection. Hinduism became the established faith only a little more than half a century since, at the command of the Raja; and it seems to have but a slight hold on the minds of the people. "The Manipuris are eminently distinguished above the Natives of Western India, by a liveliness of disposition, quickness of perception, an aptitude in receiving knowledge, and a spirit of inquiring curiosity, which, in the European character, are hailed as proofs of a fertile soil, requiring only the hand of careful and judicious culture."—It is an important fact, that the present infant Raja is beginning a course of English education, designed to be completed in the



best manner that India allows. Captain Gordon, the present Resident at Manipur, well aware of the importance of this step, is encouraging others of the better class of Manipuris to engage in the same study; and appears well disposed to advise and aid in every proper means of elevating the people. No Missionary, so far as we know, has yet entered that field.

### THE "KOOKEES," OR MURDERERS BY TRADE.

We recur to Dr. Spry's "Modern India," to quote an extremely interesting reading, the following account of a class of horrible monsters, eclipsing even the vile celebrity of the "Thugs," with whom our readers are pretty well acquainted by medium of certain articles in this magazine. "Truth," it is said, "is stranger than fiction." The aphorism, is, indeed, borne out in the subjoined extract:—

"The division of Chittagong, appertaining to the Eastern portion of the Province of Bengal, has been selected for the grand depot, established for the purpose of tanning and rearing the Company's elephants. The Superintendent of the stud dispatches men, skilled in the pursuit, into the neighbouring blue mountains, in the direction of Ava, who hunt down and secure these valuable animals. The pursuit of wild elephants in these regions has brought us acquainted with a race of cannibals scarcely to be distinguished from the monkeys with which they herd. Were not the information relative to these people so strongly authenticated as to leave no doubt upon the minds of those who desire to make enquiries upon the subject, the reader might justly refuse to credit the existence of a set of savages scarcely worthy the name of man. But, having gathered the following particulars concerning them from the able and enterprising officer who held a staff appointment from the Government, as Superintendent of the stud, I am enabled to offer them to the public as facts, which can be corroborated by the testimony of all who are connected with the elephant depot at Chittagong. The Kookees, as these brutal wretches are called, have, according to the account afforded me by Major Gardner, protuberant bellies; they are low in stature with set features and muscular limbs. They speak a dialect peculiar to themselves, and build their villages on the boughs of the forest trees. They do not appear to have any settled abiding-place, but wander in herds from



one wilderness to another. When a site favourable for their purposes has been found, the whole community immediately set to work to collect bamboos, and branches of trees, which are afterwards fastened into platforms and placed across the lofty boughs of the different trees. On this foundation the rude grass superstructure is raised which forms the hut. When these sheds are completed, and every family provided with a habitation, the women and children are taken into these aerial abodes. The men then lop off all the branches within reach of the ground, and having constructed for themselves a rough ladder of bamboos, they ascend the trees by means of this rude staircase, drawing it up after them to prevent the intrusion of strangers, and a necessary precaution against the encroachments of their four-footed companions of the forest. In this manner they repose, floating in the branches and cradled by the wind, partaking more of the savage ferocity of brutes than the milder charities of man. To persons who have travelled much in India, the mere circumstance of a whole tribe of Natives choosing to take up their permanent habitations in trees would not excite much surprise, since the watchmen who are employed in the charge of the mango-groves, or other valuable fruit cultivations, often form a sort of nest on the branches of some neighbouring trees, a small hut, or rather shed, just sufficient to shield the body from the inclemency of the weather, being raised upon a platform resting on the boughs. The Kookees, therefore, in this particular, only differ from more civilized Natives, forced by necessity upon expedients of the kind, by living constantly in trees; in other respects there is fortunately, no similarity, even to the most degraded beings of the human race. They openly boast of their feats of cannibalism, showing with the strongest expressions of satisfaction, the bones and residue of their fellow creatures who have fallen a prey to their horrible appetites. So intent are they on their search after human flesh, that the superintendent was always obliged to send out the men employed in hunting the elephants armed with muskets, and in not fewer than parties of ten. One poor man they unfortunately caught while off his guard, and devoured him almost before his life-blood had congealed in his veins. Attempts have been made to subdue and civilize these people, and one of their head men was won over, and employed by Major Gairdner at the elephant depot, but he could not be induced to relinquish his old habits. In a short time he was detected in the commis-



sion of a murder, and was executed by the civil authorities at Chittagong. When tidings of this man's fate reached the ears of his former associates they became greatly incensed, and for a long time afterwards exerted themselves, happily in vain, to obtain possession of the person of the superintendent, who had frequent occasion to cross their path in the execution of his duty. These people, strange as it may appear, are living within 150 miles of Calcutta, the metropolis of British India, and the seat of Government, and yet their existence even is scarcely known by the people who are not in authority, comparatively little information from the woods and jungles of the savage portion of Bengal finding its way to the Calcutta newspapers."

### THE ROADS IN INDIA.

There is now an excellent line of communication from Calcutta via Benares to Delhi, and another from hence to Madras. A branch road will soon connect Agra with the great line of communication between this and Delhi. There is another very good road which branches off from the trunk road at Mirzapoor, and enters central India as far as Jubbulpoor. A road from Calcutta to the eastward has also been commenced upon, and a good communication now exists between it and the city of Dacca. Besides these, a few other branch roads are all that at present exist for the free transport of merchandize and the movements of the army. The other parts of the country are in a miserable state for want of good roads, the only communication between different places being the rude pathways described along the fields, forests and mountains of the interior, by the shepherds or the ploughmen who constantly use them for their little peregrinations about the localities they occupy. These miserable paths, rendered impassable during the rains, have hitherto served for the transport of troops and of merchandize from one part of the country to another. To notice but one instance, the produce of the country about Nagpore and the valley of the Nerbudda, which are situated in central India about 500 miles to the west of Calcutta, is first taken through the Jubbulpoor-road to Mirzapoor on the Ganges, direct north, and thence brought down to Calcutta after describing a circuit of some 1000 miles. The country between Calcutta and Nagpore, we verily believe, is less known to Englishmen than Patagonia or Kamtschatka. No surveys of these parts, though situated within 300 miles of the metropolis of British India, has yet been made.



There are numerous other similar spots which, but for want of roads, might have proved inexhaustible sources of revenue to the State.

A project which had long been formed, of a direct communication between Calcutta and Bombay, has been again revived, and which, with the prospect of a Steam Communication, *via* the Red Sea, between England and Bombay, is now more likely than ever to be carried into effect. This road, if opened, would pass through Nagpore, and be ~~the~~ trunk communication, for the branches through which the produce of Central India could be carried either to Bombay, for exportation, or to Bengal, for the consumption of that and the eastern provinces of the empire.

The road to Jubbulpore, if extended to Nagpore, would also throw open Central India to the northern provinces, and their capital, Agra; whilst the road between Jubbulpore and Saugor, the construction of which had been commenced upon some time ago, but shortly after stopt for want of means to carry it on, if extended through the Seyndia Territories to Malwa and Rajpootana, would open a pretty direct communication between the Mart of Pauley, which receives the produce of the countries lying to the west of the Indus and Calcutta. One more communication from Nagpore, *via* Hyderabad, to some convenient part of the line between Calcutta and Madras, would at once connect the four Presidencies, and afford to the principal parts of India the most valuable facilities for inland commerce and the transport of troops.

The trunk road from Delhi might be extended, *via* Kurnaul, to Loodhianah, which is now the key to the Punjab, and after the annexation of that country to the British Empire, which soon or late will happen, it may be carried on to Lahore and Attock, on the Indus, a point from which every invader of India, from the remotest antiquity to the present time with the exception of the English, has poured down upon the plains of Hindostan.

Simultaneously with these great operations in the west, the road to Dacca may be carried across the Megna to Sylhet, and thence extended towards the east as circumstances require, whilst a branch may be carried out along the Burhampooter to Bessa and Sudiya, which are situated on the confines of the Tea Districts of China, and the importance of which are already becoming known.



## PILGRIM TAX ABOLITION MEASURE.

*To the Editor of Alexander's East India Magazine.*—SIR,  
I have for some time been desirous of possessing a copy of the important Despatch of the Court of Directors of February 1833, abolishing British connection with Idolatry in India, and it was with very great pleasure I recently received one from an active friend in London.—Permit me to solicit its insertion and preservation in your valuable Magazine. I am fearful this important measure should become a *dead letter*; and hence the propriety of its provisions being generally known.—But why do I indulge these painful apprehensions?—Surely, as it respects India,—

“The day has broke which never more shall close.”

I was much interested with the following sentiment in reference to a recent measure of the present administration:—  
“Once offer a great act of right, and peace to the public, and the public will exact it as inexorably as time and fate will insist on their purposes. The bill is offered, and let it be maimed or murdered in any quarter, we care not what, it will be found to revive with a phoenix power and pertinacity: and you may as well say that the sun, or the wind, or the sea, shall stand still at your bidding, as that the people shall forego the enjoyment of the measure in its fulness. So far, then, as it concerns the people the question is settled; the Government have said,—‘This we offer you,’ and wo to that obstructive influence which shall attempt to defraud the public expectation!”

I have observed that the lengthened provisions of the New Indian Charter are given *verbatim et literatim* in your pages; and I humbly and earnestly request the same favor for the following Charter for the promotion of our common Christianity in India. Anticipating your cheerful compliance,

I remain yours very truly,

L—., April 19th, 1837,

INDIA AMICUS.

(Copy.)

*Letter to Bengal; dated 20th Feb. 1833.*—Paragraph 1. In the paragraphs of Letter dated 23d Nov. 1830, paragraphs (154 and 157,) you bring to our notice a proposition made in July 1827, by Mr. Pakenham, the officiating Commissioner in Cuttack, for altering the wording of the certificates and licences issued to Pilgrims resorting to Juggernaut, under the provisions of Regulation IV. of 1809, on which occasion Mr. Harington recorded a Minute against the levy of the Pilgrim Tax generally; urging its entire abolition whenever the state of the finances would permit; and in the meantime supporting the proposal for altering the form of the licences. You then state, briefly, in the paragraphs, and more at length in the proceedings referred to, your reasons for not concurring with either the Commissioners or Mr. Harington.

2. Previously to the proceedings which are the immediate subject of the paragraphs under reply, the same points had been brought under discussion by a letter from Mr. Richardson, Commissioner of Cuttack, in 1814. Mr. Richardson strongly urged the abolition of the Juggernaut Pilgrim Tax, and adduced in



support of his proposition, a number of arguments which were replied to in Mr. Secretary Dowdeswell's letter, dated 5th Feb. 1814.

3. And, again, subsequently to the proceedings under reply, we find, that on the 16th Feb. 1829, in a circular letter from your Government, on the subject of Suttees, you required from several persons, principally those in charge of districts where the Pilgrim Tax is collected, their opinion on the point; whether the abolition of the Pilgrim Tax would be received by the Native community as a boon that would reconcile them more readily to the abolition of Suttees.

4. In 1814, and in 1827, the arguments in favour of the continuance of the Tax, appeared conclusive to your Government; in 1829, no resolution was passed on the subject; but in a Minute of the Governor-General, dated 8th November 1829, he says:—"The objections that must be entertained, by all, to the principle of the Tax, which, in England, has latterly excited very great reprobation, formed an additional motive for the enquiry. I enclose the copy of a circular letter addressed to different individuals at present in charge of the districts where the Tax is collected, or who have had opportunities, from their local knowledge of forming a judgment upon this question. It will be seen that opinions vary; but, upon a review of the whole my conviction is, that, in connection with the present measure, it is inexpedient to repeal the Tax. It is a subject upon which I shall not neglect to bestow more attention than I have been able to do."

5. In fulfilment of the intention which the Governor-General thus expressed, he has, in his Minute of the 25th of March 1831, recurred to the subject of the Pilgrim Tax: in respect to which, after briefly stating the conflicting opinions that have been entertained, he observes that, for himself, he deems it the bounden duty of a Government ruling over a Hindoo and Mussulman community, and professing a respect for their religion and customs, to protect and aid them in the exercise of those harmless rites which are not opposed, like Suttees, to the dictates of humanity and of every religious creed:—that he, therefore, thinks that all those places of Pilgrimage, with those who frequent them, are upon principle entitled to our special care: that a Tax upon Pilgrims is just and expedient: and he entirely adopts the interpretation which has been put in India on our Orders of 1814; namely, that the revenue should be first applied to the repairs of the Temple connected with the comfort of the Pilgrims; and that the surplus may be properly expended in roads and serarees contributing no less to the convenience of the Pilgrims than to that of the Public.

6. These observations are connected with a proposition that the surplus collections from the Pilgrim Tax at Juggernaut, Gya, Allahabad, Jutta, and Sooran (amounting, as appears by a statement accompanying the Minute) on an average of the then preceding four years to about four lacs per annum, shall be systematically appropriated to the formation of the principal roads in Bengal.

7. The question as to the lawfulness of deriving a portion of our public revenue in India from Taxes levied on the performance of Pilgrimages, or other religious observances, by the Natives, is wholly distinct from the question,—in what way the funds so derived shall be applied.—The former is a question involving important principles, the other is one purely of policy. We will, therefore, reserve for separate examination the proposed plan regarding the formation of roads, and will now consider the propriety, on general grounds, of a Pilgrim Tax. On this subject we are aware of the Orders to which the Governor-General, as having been formerly issued by us, but, in re-considering it, we feel the duty of availing ourselves of the light which may subsequently have been thrown on it by experience, reflection, or the suggestions of individuals and shall, therefore, state our present views as they occur, without any immediate reference to past discussions.

8. Respecting the degree of toleration due to the religion and worship of our Indian subjects, the sentiments of the Governor-General are essentially our own; although we might be disposed to qualify in some degree the terms in which he has expressed them.

9. All religious rites and offices which are in this sense harmless, that they are not flagrantly opposed to the rules of common humanity or decency, ought to be tolerated, however false the creed by which they are sanctioned. But they could not properly be said to be tolerated, if those who are engaged in them did not experience that ordinary degree of protection to which every citizen, not offending against the laws, is entitled at the hands of his rulers.—A religious fea-



tival, attended by immense crowds cannot be said to be tolerated, if the Government does not provide a police sufficient to enforce order and to ensure the safety of individuals during the celebration. And, on the other hand, the providing of such a police is not an act of favour or friendship to the mode of worship, but one of simple justice to the worshippers.

10. Beyond this civil protection, however, we do not see that the maxims of toleration enjoin us to proceed. It is not necessary that we should take part in the celebration of an idolatrous ceremony, or that we should assist in the preparations for it, or that we should afford to it such systematic support as shall accredit it in the eyes of the people, and prevent it from expiring through the effect of neglect or accident.

11. The application of these principles to the subject before us is not very difficult. Although it is possible that the Hindoo rites, or, at least, those of Juggernaut, are less liable than formerly to the charges of cruelty and open indecency, their essential character is of course not changed.—They are at variance with the precepts and spirit of Christianity, and they seem opposed even to the plain injunctions of a natural religion. This, however, is not a reason for prohibiting them by law; and if they are not to be so prohibited, if they are to exist at all, they must receive from the civil power that measure of protection which it affords to any other act, the doing, or the not doing, of which it treats as a matter of indifference. To this extent we entirely concur with Lord William Bentinck. On the other hand we cannot conceive that a Government which believes those rites to be deeply founded in error, and to be productive, even in a civil view of serious evil, is obliged, or is at liberty to shew to them any degree of positive sanction or encouragement.

12. The simplest form in which a Pilgrim Tax, can subsist is, as an impost levied for the mere purpose of defraying the charges of the extra police employed to protect the Pilgrims. To answer this description, however, the average amount of the sums raised must precisely equal that of the expenses incurred: the excess or deficiency of each year being carried to the account of the next, and the tax, if necessary, being so varied as to correct the inequality. If the tax were confined to this object, and regulated on these principles, much of the objection which has been urged against it would be obviated, while the duty incumbent on us of protecting the Natives in the observance of their religious rites would be strictly fulfilled.

13. But we are not aware that the tax exists in any instance, in this simple and uncompounded form. It every where appears under modifications or with adjuncts more or less affecting its character and operation. We do not intend to enter into any detailed account of these varieties; nor indeed is the information before us, though by no means scanty, sufficient to qualify us for such an undertaking, but we will advert to a few of them considered in relation to the questions of principle which the subject involves.

14. The first case that may be noticed, is where the sum raised by means of the tax being much larger than the maintenance of a police force would require the surplus, or a great part of the surplus, is employed in keeping in repair the shrines, idols or other edifices which form the local objects of the pilgrimage, or in supporting the priests and other ministers attached to them. At Juggernaut a very considerable portion of the entire revenue raised, and, in fact, a sum much larger than the whole amount of the Pilgrim Tax, appears to be applied to these purposes. It must be obvious that in sanctioning such an application of the money, we advance far beyond the principle of a tax levied merely for the purpose of maintaining a local police. From being simply conservators of the public peace at certain numerous assemblies of the people, we are become the chief agents in sustaining an idol establishment. The character of neutrality with regard to the purpose of those assemblies which we might have preserved in the former position is entirely departed from in the latter.

15. But this is not all, for the effect of such a surplus so applied is to mix up the Govt. with the interior concerns of the idol establishment to a much greater extent than is at first sight apparent. The provision of the funds, which are to be employed in supporting the establishment, creates at once a right and a motive to watch over the expenditure. The paying the ministers and attendants of the place naturally induces, and at the same time authorizes us, both to check the appointment and to inspect the conduct of those persons. In every way



we become parties to the accounts and general management of the establishment, including the supervision and disposal of its revenues, whether derived from fines, offerings, endowed lands or from any other source.

16. It is true that the Bengal Government by Regulation IV., A. D. 1809, abandoned that degree of superintendence which they had previously exercised over the affairs of the Temple of Juggernaut, and substituted the administration of the Rajah of Khoorda for their own. Even that Regulation, however, seems to have left too many links of the connexion which it aimed at severing. The Rajah himself was to be responsible to the Government, and might be removed by it for misconduct. The three Dewal Purras were to be appointed by the Collector of Cuttack, subject to the confirmation of Government, and were not to be removed from their offices without the sanction of the Supreme Government; and an account was to be rendered to the Collector of the tax of all offerings and presents made to the idol. All this left in the hands of the Government a large degree of control over the interior concerns of the establishment.

17. Arrangements which thus implicate the Government, be it in a greater or less degree, in the immediate ministrations of the local superstitions of the Natives might well be objected to in point of principle, even without any reference to their actual or probable consequences. But that they also tend to consequences of an injurious kind is evident, inasmuch as they exhibit the British power in such intimate connection with the unhappy and debasing superstitions in question, as almost necessarily to inspire the people with a belief either that we admit the divine origin of those superstitions, or, at least, that we ascribe to them some peculiar and venerable authority.

*Secondly:—*

18. We proceed, however, to consider the tax under another modification that is, where over and above all that is in any manner applied for the support or benefit of the local establishment, a surplus is raised for the general use of Government.

19. From the minute already referred to of Lord William Bentinck, and from the papers Nos. 2 and 3 annexed to it, we collect that the net surplus of the Pilgrim Tax at Juggernaut, Gya, Allahabad, Jutta, and Socan, taken together now averages at about four lacs per annum. With respect to Juggernaut, it seems ever since the year 1815, to have been understood that the whole revenue of that place not laid out in the immediate expenses of the establishment, should be dedicated to objects connected with the comfort or the welfare of the Pilgrims, and especially to the completion of the road from Calcutta to the district of Cuttack, and this last mentioned work has, in point of fact, entirely absorbed such net revenue. From the revenues of Gya, a considerable sum was formerly, and, we suppose, is still, paid into the funds of the Native Hospital at Calcutta; but it would seem that the surplus of which Lord William Bentinck speaks in the case of this establishment, is that which remains after deducting all such charges, and it averages at upwards of two lacs per annum.

20. Without entering, however, into these and similar particulars of which, indeed, we are not minutely informed, there appears enough on the face of the Governor General's statement to raise the general question, how far it is within the moral competence of the British Government to draw a revenue from such sources. In considering that question, the first impression must be adverse to a revenue so derived. Our feelings revolt at the idea of deliberately making a profit of practices, the existence of which we must deplore, and of tenets of which we cannot but entirely disapprove. But it may be proper to consider the merits of the question in more practical grounds. It has been much disputed whether the raising a considerable revenue by means of the Pilgrim Tax has on the whole the effect of encouraging or that of discouraging the idol worship with which the particular tax is connected. On the one side, it is contended, that to tax any practice is to check and hinder it; on the other hand, it is alleged, that this rule does not hold in the case of practices of a superstitious kind; for that the spirit of superstition is only whetted and promoted by having obstructions thrown in its ways. But the disputants on both sides seem to us to fall into great inconsistency while maintaining their respective arguments.

21. Those who defend the tax on the ground that it operates as a hindrance to the practice of pilgrimages surely forget, that according to their own fundamental proposition, the British Government is under a sacred obligation to befriend and assist, instead of thwarting and obstructing the practice of pilgrimages, for if the



British Government does in fact thwart and obstruct that practice by means of a tax, then in imposing such tax it violates or, at least, evades, the obligation in question.

22. On the other side, those who argue that the Pilgrim Tax, by opposing an obstacle to Pilgrimages, tends to excite and inflame the spirit for such enterprises, fall into a like inconsistency—for they forget that one of their chief topics of complaint against our Government in India is, that by making good roads to the principal Pilgrim stations, and by giving other facilities to the Pilgrims, we greatly promote the practice of making Pilgrimages. If, as they before contended, the ardour of the Pilgrims is increased by obstruction and resistance, surely it must be diminished by indulgence and encouragement.

23. We do not think it necessary to decide the question whether the tax in its immediate operation does most tend to promote or prevent pilgrimages; it may in different cases operate differently, according to the temperament of the individual concerned. In most instances, however, we doubt whether it is exactly that sort of difficulty which would act as a stimulus. It is a pecuniary burthen, and in order to meet it, the individual who desires to be a Pilgrim, must begin with providing adequate funds; a task disheartening in its nature, and which many must find impracticable. But this only concerns the immediate effect of the tax. Considering the measure in a more general view, we conceive that the system of raising a revenue, or at least a surplus revenue, by means of a Pilgrim Tax, must, in many ways, lead to the promotion and encouragement of the superstition out of which the tax is derived. It gives the Government an immediate interest in the progress and extension of such superstitions;—it furnishes both to the Government and to such of its functionaries as are concerned in levying the tax, supposing these to sympathize with their employers, a perpetual inducement to increase the income of the Temple, and, therefore, to attract to the spot as numerous a concourse of Pilgrims as possible. It is true that the Government in India has always professed, and, we doubt not, very sincerely, to consider the amount of the revenue which may be obtained by means of a Pilgrim Tax, as an object of trifling importance when compared with that of conciliating the Natives by a well arranged system for the support of their favorite superstitions.

24. This also has always been the feeling of the Government at home. But though the chief motive of the arrangements connected with the Pilgrim Tax may have been a liberal ambition to conciliate the Natives, the natural desire of procuring financial benefit to the Company has always mixed itself with the former sentiment, neither of these objects indeed could be overlooked by the Company's servants, zealous as they have ever been to promote in every way the interests of the body by whom they have been employed.

25. In order to verify these remarks it may not be improper to refer to a few passages of the official correspondence in India on the subject of the Temple of Juggernaut.

26. Thus the Board of Revenue, on the 17th June, 1806, in proposing to the Bengal Government to leave the internal economy of the Temple to the Priests, expressly recommend this change of system on the ground that the existing management realized so small an amount of surplus, after defraying the expenses of the Temple, and that it was not calculated to promote 'an economy in the expenses, to increase the reputation and prosperity of the Temple, or to augment the public revenue.'

27. Thus again the same Board, when, contrasting in a letter dated the 18th Sept. 1806, the systems of Juggernaut and Gya, observe, "with reference therefore to the substantial benefits arising to Government from the Tax upon Pilgrims resorting to Gya, and on the other hand to the inconsiderable receipts by Government from the Temple of Juggernaut since it has been under the British Government, we consider ourselves fully justified in recommending that the rules respecting the concerns of the Juggernaut Temple should be brought as near as possible to those existing at Gya."

28. Thus lastly, the same Board when proposing to the Government in a letter dated the 26th May, 1807, that the extra expenses of the Temple should be defrayed by a per centage on the collections levied on the Pilgrims, express themselves as follows:—"By that mode the improvement of the funds applicable to the expenses of the Temple will in a great measure go hand in hand with the improvement of the resources of Government, and both the proprietor or



superintendent of the Temple, and the Priests will find a manifest interest in encouraging the resort of Pilgrims for the purpose of increasing the income of the Temple."

29. It should be observed, that in each of the cases to which these quotations refer the suggestions of the Board were approved and carried into effect by the Government.

30. We must not however be understood to mean that wherever a surplus revenue is raised by means of a Pilgrim Tax the Government has a proportional interest in encouraging pilgrimages. In cases where that surplus revenue is dedicated to specific objects connected with the welfare or comfort of the Pilgrims, such as roads for their use, or to the support of the public charities, there is not on the part of the Government the same immediate interest in increasing the collections as if the produce of them were to be applied to the public service in general;—still the same effect is produced *pro tanto*, for roads and hospitals are of general advantage, and the expense of supporting them if there were no Pilgrim Tax to defray it, would be in danger of becoming a charge on the general funds of the state.

31. On the whole we conceive that the principles of toleration do not require that we should promote the growth and popularity of superstitions, the prevalence of which every rational and religious mind must lament, and we are therefore of opinion that any system which directly connects the pecuniary interests of the state with the extension of such superstitions, is for that reason objectionable and ought to terminate.

*Thirdly:—*

32. We proceed next to consider another part of the system, namely, the Gomastah's or Agents who are employed in travelling throughout India for the purpose of enticing the Pilgrims to the several shrines and temples of repute. These men receive a fee from every Pilgrim whom they can persuade to visit the particular seat of superstition to which they are attached, they have consequently a direct interest in enticing as many as possible; and they in fact seem to discharge their vocation with astonishing industry, dexterity, and success.

33. The information, however, before us, does not enable us to judge how far the rules for levying Pilgrim Tax at the different shrines implicate our Government in encouraging and patronizing the Pilgrim hunters in question.

34. In the case of Juggernaut, the collector of the Tax in 1806 recommended it to the Bengal Government to permit the Pundas and Purbarees, by whom the Pilgrim hunters are employed, to collect their fees personally from the Pilgrims, according to a table of rates fixed at the Temple. The object was to secure to the Pilgrims good treatment from their conductors, and accordingly by the Reg. IV. 1806, Sec. VI., this proposition was carried into effect. But Reg. IV. 1809, which rescinded the former, does not appear to have laid down any rule as to the fees alluded to, nor are we aware that there exists any subsequent regulation containing directions on the subject.

35. By the Reg. XVIII. 1810, which specifies the duties to be paid by Pilgrims of different classes resorting to Allahabad. "All the other duties or fees at the Ghaut, or within the Fort or at any other place, are prohibited;" from which we should be inclined to infer that the Pilgrim conductors there are not paid by the Pilgrims in person, but receive from Government a portion of the general Tax.

36. At Gya, where a very extensive system of Pilgrim hunting appears to prevail, the fees arising out of it are, we presume, fixed by custom, there being no printed regulations relative to the Pilgrim Tax at that place.

37. In the absence of any specific information we are nevertheless inclined to think that at all these places the British authority does in some way ensure to the conductors of the Pilgrims the payment of their fees; for, probably, such payment is exacted as a condition of the entrance of the Pilgrims within the precincts of the Temple, and that entrance is immediately guarded by the police or soldiery of our Government.

38. The system of Pilgrim hunting seems to be closely if not inseparably connected with the whole system of Pilgrimages as prevailing in India; and would probably subsist even if there were no Pilgrim Tax levied by authority, for so long as it is the interest of the Priests and Ministers of the Temple to attract votaries whose offerings and expenditure shall enrich their respective



establishments, so long it will of course be their policy to employ emissaries for the purpose of inducing men to become votaries, and to stimulate the zeal of those emissaries by giving to them a share of the resulting profits. But it does not follow that because this evil must exist, therefore the British Government must be a party to it, still less must promote and extend it. There can be little doubt that the exertions of the Pilgrim hunters and their employers are incited and quickened by the assurance which the known good faith and exactness of the British Government hold out to them that their fees will be levied and paid with scrupulous punctuality. Thus the credit and authority of the Government are perverted to the support of a manifest and revolting abuse.

39. If it were necessary that the system of Pilgrim Taxes should in other respects ~~continue~~, and that the Officers employed in conducting the Pilgrims should be paid under the authority of the State, it might be worthy of consideration whether they should not receive fixed salaries in lieu of all fees and perquisites, and with a liability to severe punishment if they should be found to make any further demands on the Pilgrims, or to take or receive from them any gratuity. Probably, however, the prohibition would be evaded; and, on the whole, it is in our opinion evident, that the remuneration of the conductors should be left entirely to be settled between them and the devotees under their charge; the Government neither regulating the amount nor compelling the payment.

*Fourthly:—*

40. Having already considered the general question as to the propriety of deriving any surplus revenue for the use of a State from a Pilgrim Tax we are induced to particularize one method in which such revenue may be raised. An example of this method is furnished by the Temple of Tripetty. Government sells to a considerable number of tradesmen the exclusive right of serving the Pilgrims in the way of their respective trades during the continuance of the festival.

41. Although we feel little doubt that this practice has descended to the British Government from prior times, we cannot but view it with disapprobation. If the liberty of worshipping in the Temples to be made a source of gain to the Government, at least let the Government deal directly and at first hand with the worshippers; and let the whole amount of what the worshippers pay, after reimbursing the expenses of the Temple be received into the public Exchequer. In the way the Tax will bear lightest on the Pilgrims, and will at the same time be most productive to the State. But in the case under consideration the tradesmen who are licensed by the Government must be tempted to make a profit on the Pilgrims, and this profit is an additional Tax levied on the Pilgrims, exclusive of the sum which the tradesmen pay to the Government for their monopoly. The Pilgrims, therefore, are always burthened beyond what the system of a Pilgrim Tax requires, and being at the mercy of the tradesmen, it may be feared that they occasionally suffer oppression.

42. We are inclined to think that the practice to which we have referred, or some variety of it, subsists at other places as well as Tripetty; but our information does not enable us to speak positively.

43. There is yet one point which we would notice.

44. In whatever degree it may be thought necessary that the British Government should superintend the pecuniary concerns of places of religious celebrity in India, even at the risk of promoting the Idol worship connected with such places, there can be no reason why the Government should be an immediate party to the ceremonies either preparatory or essential to the worship in question, or should gratuitously incur the suspicion of bearing that character.

45. Yet such seems to be the fact. In Allahabad, for instance, the barbers, a very important class in the ceremonies of that place, are registered by the Collector, and subjected to certain rules, ~~as to~~ we presume, by authority of that officer. At Gya, no such register exists. Why should such interposition and superintendence be more necessary at Allahabad than at Gya? Again, at Juggernaut, the most gorgeous part of the decoration, with which the cars at the festival are embellished, consist in cloths directly supplied by our own warehouses. In a letter, dated the 19th Dec. 1807, from Mr. Webb, then the Collector of Cuttack, to the Board of Revenue at Fort William, it is stated that the cloths for covering the cars "were formerly supplied by the soubahs, and



since by the Commissioner and Collector, the officers of the Temple declaring themselves incapable of procuring them."

46. Mr. Webb proceeds to recommend that the whole quantity, being 480 yards, of which one piece must be ~~superfluous~~ cloth, should be supplied from our warehouses; and he immediately remarks that the colors were of no consequence, but that there must be variety. This suggestion seems to have been adopted. Mr. Stirling who saw the great festival at Juggernaut, in 1622, observes, that the splendour of the covering of striped and spangled broad cloth, furnished from our export warehouses, compensated in a great measure for the meanness with which the cars were in other respects decorated.

47. When this matter is closely considered, it may seem somewhat less objectionable than at first sight. The broad cloth of which Mr. Stirling speaks is not an offering, nor even a present. It is, in fact, one of the expenses of the idol worship, which is, in the first instance, defrayed by our Government; and, against which they, of course, set off an equivalent part of the surplus revenue received from the Pilgrim Tax. Yet, being furnished at first hand by the Government, and forming an important feature in the idol ceremony, and attracting all eyes by its gaudiness, this cloth is, we doubt not, considered by the great majority of the attending devotees, as a free-will oblation made to the idol. On the other hand, and, perhaps, for the same reasons, no part of our proceedings, with relation to the idol worship of Juggernaut, has given so great offence to the opponents of the Pilgrim Tax as the circumstance that we should thus consent to dress up the idol equipage without our own hands.

48. For the reasons that we have assigned, the several practices above described ought, in our opinion, to be abrogated or discontinued. In that case a question might be raised, whether so much of the Tax is still to be levied, as may be required for the maintenance of a police force at the stations where the Pilgrims assemble. We do not, indeed, think that any principle of conscience opposes the levying of a Pilgrim Tax for the purpose in question; and the convenience of such a Tax must be obvious, since the use of a police force at the station is, as we have before argued, indispensable. Still, a Pilgrim Tax is open to grave objections; and to some arising from the very limitation itself.—On the one hand, the Natives, accustomed to the tax, may continue to infer from it that the British Government peculiarly approves their superstitions. On the other hand, they may feel but too sensibly the difference between the old and new Taxes, and may resent an impost on their religious usages, the whole produce of which goes into the coffers of Government, without at all contributing (as far as appears) to the maintenance of the Temples concerned. On the whole, we think, that the Pilgrim Tax should be extinguished altogether; leaving it to the priests to admit votaries on whatever terms they please, but securing the presence of a competent force of police or soldiery to maintain order during the great festivals.

49. The accounts before us do not show if any addition, or if any, what addition to the ordinary expense of a force for the conservation of the public peace is rendered necessary by the occurrence of the festivals; but we cannot conceive that this amount would be considerable.

50. As far, indeed, as we are able to collect from the answers (already mentioned) to the Governor General's circular of 16th Feb: 1829, we are induced to doubt the necessity of any accession of this kind. Mr. W. Blunt, after dwelling on the necessity of protecting Pilgrims from robbers, &c., adds:—"The regular police establishment, entertained at Juggernaut, Gaya, and Allahabad, are, I believe, quite adequate for the purpose."

51. Mr. G. F. Brown, speaking of the Allahabad station, observes:—"The maintenance of extra police establishments for the purpose of preserving peace and tranquillity, has, I believe, never been found necessary at this station."

52. Mr. Calder's observations are well worthy of attention, especially as they involve facts illustrative of the point at issue:—"That the inconveniences, which have been suggested to his Lordship, as likely to be produced by the withdrawal of the interference of Government from the management of the Teeraths, or places of Pilgrimage, are not necessary consequences of such a measure, may be shown by reference to the case of Kholce Ghat, near Calcutta. Tripetty, in the Dukhin, Nazick, and other places, in the western side of India, where the people who resort thither from all parts of India, are left to make their



own arrangements with the priests without any protection from the civil or military power of Government. I am, therefore, clearly of opinion, that, excepting at Hurdwar, where opposite sets of devotees have been in the habit of resorting to personal conflict in maintenance of their respective opinions, Government need not be put to any expense in the protection of Hindoo Pilgrims."

53. No less remarkable is the testimony given by Mr. Trotter,—“If the Tax at Gya were done away with it is probable that the attendance of one or two peons at the Temple to prevent the disorder natural in all crowds, is all that would be absolutely necessary.”

54. Mr. Trotter in a note relates some important facts:—“In Benares the Temples are not superintended by Government, and there are no Government Taxes, and the people, I understand, give little or no trouble to the Magistrate.”

“At Bydenoth, in Beerbhoom, also no Tax is paid. One hundred thousand Pilgrims visit the Temples in the year, and I believe there is no trouble with them; of these I believe about twenty-five thousand pass annually through this district, their progress is marked by perfect order and quietness.”

“At Benares, however, the rights of the Priest seem more settled than either at Allahabad or Gya. Disputes both at Allahabad and Gya occur in regard to the rights of the Priests to Pilgrims. This point, however, could probably easily be fixed.”

55. These testimonies are, in our view, decisive against the necessity of creating a police expressly for the purpose in question. It is with much satisfaction that we arrive at this conclusion, because the subject is thus disembarrassed of the only serious difficulty of a practical nature, in the way of a complete extinction of the Tax.

56. We have in the preceding remarks adverted to the apprehensions entertained by some persons that the abolition of the Pilgrim Tax would be regarded by the Hindoo with dread and regret, as indicating the withdrawal of the protection hitherto afforded to the religion by this Government, and as leading to further measures of the same character. From the papers before us, from the tenor of the answers to the Governor General's circular, and also from general principles we think it is at least as probable that the impression resulting from the abolition would be of an opposite description. We mean that the Hindoos would view the abolition as a boon, and as a new proof of special toleration; and that in this view it would tend to increase the popularity of British Administration. We do not wish to lay much stress on this topic, because it is not mainly by such considerations that we must regulate our Indian Administration. But it is important to bear it in mind, as a set off against anticipations so often indulged in, of a different effect.

57. In drawing to a conclusion we cannot resist the temptation of inserting the recorded judgment on this subject of a man not more able and enlightened than experienced and practically wise;—we mean Mr. Stirling, whose premature death must ever be regarded as a public calamity.

“It has always appeared to me that, if we abolish the Tax at Juggernaut, throw down the barriers which encircle the town, and at the same time withdraw from the system of patronage interference and regulation naturally and almost unavoidably resulting from the existing order of things, the certain eventual consequence would be a gradual decline of the sanctity of the Temple, and the cessation of its peculiar fame and attraction as a place of religious resort.”

“An efficient police must, of course, under all circumstances, be maintained, as at present, for preserving the peace and preventing the commission of crimes in the town of Juggernaut and its vicinity, and the regular civil tribunals of the country would be open to the priests and managers of Juggernaut, as of all the Temples, for the adjustment of matters properly falling under the cognizance of public authority. No extra police or other officers would need to be entertained if the Tax were abolished; we should only in that event abandon the special care and protection of the interior of the temple of Juggernaut, which are manifested throughout the provisions of Regulation IV. of 1809. We should cease to provide guards for it from our regular Sepoys, to appoint its head priests, and to supply the broad cloth which decorates the cars at the great annual exhibition. The Rajah of Koord, who is the Superintendent, would be left to settle as best he might in concert with the Council of Dewal Peshwas, questions respecting the internal economy and proper management of the institution, and the Collector would no longer be mixed up with the detailed regulation of its affairs,



and the conduct of its public ceremonies. Doubtless, under the new system, matters would not be so well managed as at present—numerous abuses and gross irregularities would prevail, and the whole concern would gradually sink into neglect and disrepute; but for this result the British Government would not be responsible; and, assuredly, it is not one which we should have any occasion to regret.

"I have said nothing of the financial part of the question, as Government, alone, can decide whether, admitting the present system to be objectionable, the net revenue derived from the Tax on Pilgrims at Gya, Allahabad, Juggernaut, and elsewhere, is of sufficient importance to counterbalance the discredit and the many evils which arise out of its impositions."

58. In stating to you, however, our distinct opinion, respecting the abolition, not only of the Pilgrim Tax, but of the practices to which we have referred, as either connected with it or bearing a similar construction, we desire to repeat that we are rather holding up a standard to which you are ultimately to conform your policy, than prescribing a rule which you are instantly, and without respect of circumstances, to carry into accomplishment.

59. We are sensible that this is one of those subjects respecting which it is peculiarly difficult to give, from this country, more than general instructions.

60. As to the details of any measure regarding it, the time, the degree, the manner, the gradation, the precautions, these must, in an especial sense, rest with the local Government.

61. To you, therefore, they must be consigned; and we so consign them in perfect reliance on the experience, liberality, and enlightened judgment of our Governor General in Council. But, while we commit without hesitation, into your hands, the details of execution, we feel it at the same time our duty to communicate to you our general views and intentions.

62. Finally, it may be convenient to recapitulate, in a brief series, the principal conclusions resulting from the preceding discussion.—1st. They are the following:—That the interference of British functionaries in the interior management of Native Temples; in the customs, habits, and religious proceedings of their priests and attendants; in the management of their ceremonies, rites, and festivals; and, generally, in the conduct of their interior economy; shall cease.—2nd. That the Pilgrim Tax shall every where be abolished.—3rd. That fines and offerings shall no longer be considered as sources of revenue by the British Government; and they shall, consequently, no longer be collected or received by the servants of the East India Company.—4th. That no servant of the East India Company shall, hereafter, be engaged in the collection, or custody, or management of monies, in the nature of fines or offerings, under whatsoever name they may be known, or in whatever manner obtained, or whether furnished in cash or in kind.—5th. That no servant of the East India Company shall, hereafter, derive any emolument resulting from the above-mentioned, or any similar sources.—6th. That in all matters relating to their Temples, their worship, their festivals, their religious practices, their ceremonial observances, our Native subjects be left entirely to themselves.—7th. That in every case in which it has been found necessary to form and keep up a police force specially with a view to the peace and security of the Pilgrims or the worshippers, such police shall hereafter be maintained and made available out of the general revenues of the country.

63. Much caution and many gradations may be necessary in acting on the conclusions at which we have arrived. Among other concomitant measures, such explanations should be given to the Natives, as shall satisfy them that so far from abandoning the principles of a just toleration, the British Government is resolved to apply them with more scrupulous accuracy than ever; and that this proceeding is, in truth, no more than a recurrence to that state of real neutrality from which we ought never to have departed.

64. Nor in enjoining only a gradual approach to the desired end, do we exclude from our view the possible expediency of commencing with some one of the great superstitious establishments, and of extending the improvement to the rest, only in the event of the complete success of the first experiment.

65. All this process, however, we leave to be regulated by the judgment and experience of our Governor General in Council, who, we are persuaded, will carry our views into effect with all prudent and practicable expedition.

66. In reference to the financial part of the question, you will furnish us wit



a statement of all our receipts, whether from Pilgrim Tax, offerings, lands, fees, or any other source, and of all our expenses for the last ten years, on account of Hindoo and Mahomedan places of worship, and religious establishments under the three Presidencies, in which statement you will include as much of the charges of police, roads, bridges, choultries, hospitals, law expenses, charitable allowances and donations, and all other branches of expenditure as are strictly connected with the Hindoo or Mahomedan religion. It will, however, be necessary for you to procure from the Government of Fort St. George a correct statement of all collections derived from lands or from any other sources, which have been assigned for the support of Native Temples at that Presidency, where there appears, in 1829-30, to have been an excess of disbursement, beyond the receipts, to the large amount of Rupees 5,17,240, and you will require a similar statement from the Government of Bombay.

(Signed)

J. C. RAVENSHAW, Chairman.

C. MARJORIBANKS, Deputy.

(Signed)

J. MORRIS.

J. BAILLIE.

J. R. CARNAC.

R. JENKINS.

J. FORBES.

J. P. MUSPRATT.

H. SHANK.

J. L. LUSHINGTON.

G. LYALL.

J. MASTERMAN.

J. LOCH.

H. LINDSAY.

## THE PROPOSED NEW GAOL IN SYDNEY.

We have carefully examined the propositions made in a report which has recently emanated from a Committee of the Legislative Council in Sydney, on the subject of a new Gaol proposed to be erected there. New principles in prison discipline are more in requisition in the above Colony, than in any other of the British possessions. The very atmosphere of New South Wales is impregnated with relaxed morals. We are glad, therefore, to find the authorities seriously inclined to improve their system of prison discipline; to enclose, within proper boundaries, the confirmed criminals from those inhabitants (and there are very many) whose morality is *per se* considerably below par. We attribute much of the immorality which now obtains in New South Wales, amongst all classes, to the contaminating influence resulting from too free an intercommunication between the honest Colonists and the "repentant" convicts; who, we understand, are allowed to mix in the society of Sydney and adjacent towns. If the new Gaol be erected, and the proposed system for its use be fully acted up to, great benefits must assuredly result to the Colony; and there will be no occasion for such ex-Magistrates and ex-Colonists as Mr. Mudie to return home and prate of the inherent depravity of the denizens of New South Wales. When one hears of a marked rascal, dashingy attired, with spurs on his heels, and with some lady, the daughter of a reputable Colonist,



hanging on his arm, parading the public places with unblushing effrontery, we cannot help reflecting disparagingly on that peculiar state of society which allows of such an admixture of vice and virtue. Now, we are by no means inclined to be gulled by various mendacious assertions made in a book published by the person we have just alluded to; but, as we have heard from other sources what we have stated, it may be deemed allowable in us to mention circumstances requiring, indeed, to be "reformed altogether."

The Committee who have prepared the report on the subject of a new Gaol for Darlinghurst, Sydney, have had, as they state, the opportunity of reading and considering the report of the Lords' Committee on Goals in England for the year 1835; which recommends the adoption of new principles in prison discipline; namely,—complete separation and silence during the confinement of prisoners; the abolition of day-rooms; and the cessation of labour as a punishment, or as an occupation, except where labour on the tread-mill is awarded. Keeping this recommendation, and the direction of the Lords of H. M.'s Treasury, in view, with reference to its adaptation to the principle of prison discipline in the Colony, the Committee seem to have taken the evidence of competent persons as to the plans now in operation in England and America, for the erection and construction of Gaols in those countries, respectively, with a view to the adoption of a plan for a Gaol at Darlinghurst.

"During the Government of his Excellency Sir Thomas Brisbane, a quadrangular space of about three acres and a half in extent, situated on an elevated and airy spot of land in the vicinity of Sydney, was enclosed at a very considerable expense, with substantial stone walls, twenty feet in height, for the erection of a Gaol. The plan, at the time proposed, having never been carried into execution, the Committee have had under their consideration, the plan of a Gaol the best adapted to the limits thus assigned.

"It will appear from the evidence taken and appended to the report, that the Gaol best adapted for this part of the Colony is one framed on the principle of the Eastern Penitentiary at Philadelphia, in the United States of America, which is the last, and considered the best yet suggested for buildings of this kind.

"Recommending this plan for adoption, the Committee proceed to point out its principal arrangements and advantages.

"It is proposed that the building should accommodate 428



prisoners of all classes, including debtors and females, and exclusive of the officers of the Gaol. Two floors only are, at present, recommended. Complete separation and classification of the tried and untried, will be preserved. The prison will contain separate buildings for women, debtors, and boys, respectively; with suitable yards for air and exercise. Distinct buildings will be provided for hospitals or infirmaries for both sexes, respectively. Provision is made for the accommodation of the keeper and officers, &c. The dimensions of the cells will be eight feet by five, and eleven feet in height, which, in the opinion of the medical officers, will be sufficient; with the means of ventilation proposed to be adopted. For inspection and supervision, the whole of the buildings and yards will be so arranged, that a single watchman can inspect them to the remotest corner from one situation. Although it is at present proposed to limit the accommodation to 428 prisoners, on two floors, yet the walls will be of sufficient strength to sustain another floor, if, hereafter, such increased accommodation should be deemed necessary; and this without affecting the means of preserving health; for the yards will still be sufficiently spacious for necessary air and exercise, even if all the cells were full. It is expedient in the opinion of the medical officers examined, that, in order to secure sufficient ventilation to the basement floor, ventilating openings should be made in the outer walls, opposite each yard, which may be effected without either weakening the walls, or endangering the security of the Gaol; but it is proposed that these openings, which are necessary by reason of the great height of the outer walls, should be limited to the eastern and northern sides of the quadrangle.

"The Committee, in recommending this plan, suggest the expediency of appropriating one of the compartments, or wings of the Gaol, exclusively to such prisoners as shall have come freed to, or shall have been born in, the Colony.

"The estimate of building the Gaol, according to the plan proposed to the Council in 1835, for the accommodation of 320 prisoners, amounted to £46,000. The expense of erecting the Gaol, agreeably to the plan now recommended, will be greatly lessened by substituting flag stones for the arched roofs of the cells, as at first proposed. Flag stones, of sufficient size and thickness, may form the ceilings of the basement cells, and the floorings of the upper cells, respectively. Flag stones of this description, fourteen inches in thickness, and of any length and



breadth, may be obtained in abundance from the stone quarries on Goat Island, which will answer the purpose as well as the arched ceilings originally proposed. It is further recommended that the roof of the Gaol should be covered with slates, to be imported from England.

“The proposed plan will better elucidate the details, than any description which could be given in this their report.”

We gather from the statements made in Committee, the following particulars, bearing generally on the construction and system to be pursued in the proposed new Gaol.

Captain G. Barney, Royal Engineers, when examined before the Committee, made the following interesting remarks, relative to the subject in question :—

“Before I came out to this Colony, I went to inspect several Gaols in and about London, preparatory to my coming here.—Amongst others, I visited Tothill Fields New Bridewell, Brixton House of Correction, Newgate, Middlesex House of Correction in Cold Bath Fields. I have seen Maidstone Gaol, and the new Gaol at Coventry. I have inspected the interior of the new Gaol walls at Darlinghurst. I have seen the original plan of 1835. This plan has been carried into effect in the south of Ireland. It is objectionable, inasmuch as the Superintendent and Gaolers are so surrounded by prisoners, that if a combination were effected within and without, (which in this country may be possible) the officers might be overpowered and secured, without the possibility of communicating with the exterior. I have seen a rough sketch drawn by Mr. Lewis, the Colonial Architect, which offers a better arrangement, and is free from the objection I have stated. This is, in some measure, on the plan of the Westminster Bridewell; which is the most approved of in England. By this arrangement, there are separate cells for each individual, whether tried or untried prisoners, without any day-rooms. By Mr. Lewis's arrangement, the debtors and female prisoners, will be respectively kept distinct from the other prisoners. They are within the prison walls, but kept distinct from the other prisoners. The women are to be all kept separate and distinct; and there is the same arrangement for the tried and untried females. This arrangement is made agreeably to the Treasury instructions. The debtors' and women's prisons are distinct from the body of the Gaol. There is an arrangement by which the women, both before and after trial, are separated. The main body of the building consists of a range for capital offences, embracing two distinct suites of



cells and yards, for prisoners before and after trial. There is a range of solitary and condemned cells. There are two ranges for prisoners before and after trial, for misdemeanors. There are 308 cells in all, which will contain as many as were originally proposed. It is proposed to have two floors, but it may be expedient to have three floors; the proposed strength of the walls of the building will admit of it. The cells will be constructed so as to prevent communication between the prisoners. The chapel is to be in the body of the building, as well as the Governor's residence, the latter opening into a court-yard, affording access to the Gaol entrance. It is not necessary to have the cells arched. They will be equally strong with arches. They will answer the purpose of ceiling to the lower, and of flooring to the upper set of cells. They ought to be twelve or fourteen inches in thickness. They may be clamped together with iron, if necessary. This will be a saving of two-thirds of the expense of groining the cells, as before proposed, and answer the purpose just as well as if they were arched. Fourteen inches of thickness would be impervious to sound. There would be also an immense saving of time and expense, in every respect. The site of the new Gaol is good. I think the arrangement of the building is perfectly consistent with the safety and health of the prisoners. There will be space enough for two tread-mills. Stones of any size can be procured to form the ceiling of one, and the flooring of another cell; and, if necessary, without any joining. There are to be 18-inch walls, and the joints of the stones may rest on the cross walls. The day-rooms are done away with in the plan. It is calculated to effect the silent system of imprisonment; and for sufficient vigilance on the part of the gaolers. I have read the report of the Lords' Committee of 1835, on the subject of gaols. I am not aware of any preferable arrangement to that proposed by Mr. Lewis. The site of the New Gaol is well adapted for sewerage and drainage. Water might be introduced by the tread-mill from the new aqueduct.

“ M. Lewis, Esq., the Colonial architect, stated—I have drawn a rough sketch for a New Gaol at Darlinghurst, upon the plan, in principle, of the Westminster New Bridewell. It affords a more airy space than the plan first proposed, in front of the Governor's house; he is not so confined as in the original plan. It admits also of the debtors' and women's prisons being separate, and removed from the body of the gaol. The two prisons will not be so much under the Governor's eye, although nothing



can enter without his observing it. The debtors' prison will hold 48 persons. There is no arrangement for female debtors. There is accommodation for 48 other women prisoners. Both plans are good for prisons, and I can hardly say which is the best. The debtors' and women's prisons are bounded by the outward wall. That is objectionable. This prison could not well be brought in advance, with a separate wall, in its present shape, without interfering a great deal with the general arrangement of the prison; being close to the outer wall, would admit of things being thrown over the exterior wall to the women and debtors. It would also facilitate the escape of the debtors and women. These are inconveniences not to be found in the original plan, which has a Governor's house in the centre. In the original plan there are six prison buildings. There is not sufficient space within the walls to admit of eight. The old one could be made to admit of twenty more cells than there are in the new plan. For the appearance of the gaol, and for security, I think the old plan the best. The estimate was £45,000 for three hundred and twenty prisoners. By adopting the new plan, and substituting flat ceilings for arched ones, the building would not be much increased in height by adding an extra floor, which would accommodate one hundred and sixty more prisoners. I approve of flat stone ceilings, as they are equally good with arches, and save an immense expense. The flat ceilings would take off £5,000 from the original estimate, and £5,000 more than the present estimate, would, in that case, pay for a third floor. The gaolers prefer the open court. The wall of the Gaol is perfectly sound. It will only require fresh pointing. I could decrease the size of the court-yard, by bringing the debtors' and women's prisons endways, and give the same accommodation. The flagged ceilings are as secure as arches, and would not interfere with ventilation. The distance between the inner and outer walls is 35 feet. That distance was determined upon at home, by the Committee of Parliament on Prison Discipline."

There is little doubt of Darlinghurst becoming the site of a New Gaol upon a scale of great importance, and great public utility.



## \*ANECDOTES FROM LOCKHART'S LIFE OF SIR WALTER SCOTT.

The Ballantyne press has lately put forth the second volume of Mr. Lockhart's admirable Life of Scott. It is even more interesting to us than the first. If the talent of a biographer consists in studiously collecting a body of interesting facts characterising his subject, and in weaving those facts into a correct and spirited narrative; which, without "*let or hindrance*," enchains the unceasing attention of his reader throughout—if these qualifications make a creditable biographer—Mr. Lockhart certainly possesses them. The volume before us commences by introducing us to the dazzling success which attended Sir Walter's first poetic effort of any consequence;—" *The Lay of the last Minstrel*." We are then carried on to a variety of charming recollections of Scott and his contemporaries pursued up to the correspondence with Lord Byron in the year 1812. It is really a treat to the lover of literature to peruse the familiar letters which have passed between these two powerful geniuses. The Memoir, indeed, shews Sir Walter as carrying on a very extensive familiar epistolary correspondence with most of the leading literary characters of the day. The Private Letters of Wordsworth, Southey, Coleridge, Canning, and Jeffrey, are so many gleams of character to be prized as valuably as the best productions of those great men. Let us add, also, in the same sentence, the effusions of Joanna Bailie and Miss Seward to Scott.

We find Scott in this volume, figuring as a somewhat fiery politician, too. He seems to have taken a very interested part in the politics of 1800—was so staunch a friend to Lord Melville, at the time of that nobleman's memorable trial, as even to write in his behalf a most violent party song. This affair had extensive circulation throughout Scotland; and though it pleased Canning and his party inordinately, certainly did not benefit its author, for the memoir tells us that a schism was the consequence between the poet and some of his most influential Government friends. We cannot help here observing on another point of Sir Walter's character. One or two of his letters breathe something of infidelity in religion; however, as Mr. Lockhart has no comments on the subject, we suppose the sentences from which we have drawn our supposition, have crept into the volume without the survey of a critical eye. We believe that the great novelist died a true Christian. By the way,



it is singular that nearly all our true geniuses have had their minds tinctured with atheism more or less. Minds of their calibre one would expect to reject what is of itself a baseless notion.

We shall now proceed to draw from the memoir a handful of anecdotes, which being new to us, we think equally so to our readers :—.

**ANECDOTE OF MUNGO PARK AND SCOTT.**—Calling one day at Fowlsheils, and not finding Park at home, Scott walked in search of him along the banks of the Yarrow, which, in that neighbourhood, passes over various ledges of rock, forming deep pools and eddies between them. Presently he discovered his friend standing alone on the bank, plunging one stone after another into the water, and watching anxiously the bubbles as they rose to the surface. "This," said Scott, "appears but an idle amusement for one who has seen so much stirring adventure." — "Not so idle, perhaps, as you suppose," answered Mungo. "This was the manner in which I used to ascertain the depth of a river in Africa before I ventured to cross it—judging whether the attempt would be safe, by the time the bubbles of air took to ascend." At this time Park's intention of a second expedition had never been revealed to Scott; but he instantly formed the opinion that these experiments on Yarrow were connected with some such purpose.

His thoughts had always continued to be haunted with Africa. He told Scott that whenever he awoke suddenly in the night, owing to a nervous disorder with which he was troubled, he fancied himself still a prisoner in the tent of Ali; but when the poet expressed some surprise that he should design again to revisit those scenes, he answered, that he would rather brave Africa and all its horrors, than wear out his life in long and toilsome rides over the hills of Scotland, for which the remuneration was hardly enough to keep soul and body together.

Towards the end of the autumn, when about to quit his country for the last time, Park paid Scott a farewell visit, and slept at Ashestiel. Next morning his host accompanied him homewards over the wild chain of hills between the Tweed and the Yarrow. Park talked much of his new scheme, and mentioned his determination to tell his family that he had some business for a day or two in Edinburgh, and send them his blessing from thence without returning to take leave. He had married, not long before, a pretty and amiable woman; and when they reached the *Williamhope Ridge*, "the autumnal



mist floating heavily and slowly down the valley of the Yarrow," presented to Scott's imagination "a striking emblem of the troubled and uncertain prospect which his undertaking afforded." He remained, however, unshaken, and at length they reached the spot at which they had agreed to separate. A small ditch divided the moor from the road, and, in going over it, Park's horse stumbled, and nearly fell. "I am afraid, Mungo," said the Sheriff, "that is a bad omen." To which he answered, smiling, "*Fretus* (omens) follow those who look to them." With this expression Mungo struck the spurs into his horse, and Scott never saw him again.

AN ACCOUNT OF THE SALE OF THE LAY OF THE LAST MINSTREL.—The poet has under-estimated even the patent and tangible evidence of his success. The first edition of the Lay was a magnificent quarto, 750 copies; but this was soon exhausted, and there followed an octavo impression of 1,500; in 1806, two more, one of 2,000 copies, another, of 2,250; in 1807, a fifth edition of 2,000, and a sixth of 3,000; in 1808, 3,550; in 1809, 3,000—a small edition in quarto (the ballads and lyrical pieces being then annexed to it).—and another octavo edition of 2,250; in 1811, 3,000; in 1812, 3,000; in 1816, 3,000; in 1823, 1,000. A fourteenth impression of 2,000 foolscap appeared in 1825; and besides all this, before the end of 1836, 11,000 copies had gone forth in the collected editions of his poetical works. Thus, nearly forty-four thousand copies had been disposed of in this country, and by the legitimate trade alone, before he superintended the edition of 1830, to which his biographical introductions were prefixed. In the history of British Poetry nothing had ever equalled the demand for the Lay of the Last Minstrel.

The publishers of the first edition were Longman and Co. of London, and Archibald Constable and Co of Edinburgh; which last house, however, had but a small share in the adventure. The profits were to be divided equally between the author and his publishers; and Scott's moiety was 169*l.*, 6*s.* Messrs. Longman when a second edition was called for, offered 500*l.* for the copyright; this was accepted, but they afterwards, as the introduction says, "added 100*l.* in their own unsolicited kindness." It was handsomely given to supply the loss of a fine horse which broke down suddenly while the author was riding with one of the worthy publishers. This worthy publisher was Mr. Owen Rees, and the gallant steed, to whom a desperate leap in the coursing-field proved fatal, was, I believe, *Captain*, the immediate successor of *Lenore*, as Scott's charger in the



volunteer cavalry; *Captain* was replaced by *Lieutenant*. The author's whole share, ~~then~~, in the profits of the Lay, came to 769*l.* 6*s.*

Mr. Rees' visit to Ashestiel occurred in the autumn. The success of the poem had already been decisive; and fresh negotiations of more kinds than one were at this time in progress between Scott and various booksellers' houses both of Edinburgh and London.

SCOTT'S LOVE OF ADVENTURE, AND ITS CONSEQUENCES.—One of our earliest expeditions, (says Mr. Skene) was to visit the wild scenery of the mountainous tract above Moffat, including the cascade of the "Grey Mare's Tail," and the dark tarn called "Loch Skene." In our ascent to the lake we got completely bewildered in the thick fog which generally envelopes the rugged features of that lonely region; and, as we were groping through the maze of bogs, the ground gave way, and down went horse and horsemen pell-mell into a slough of peaty mud and black water, out of which, entangled as we were with our plaids and floundering flags, it was no easy matter to get extricated. Indeed, unless we had prudently left our gallant steeds at a farm-house below, and borrowed hill ponies for the occasion, the result might have been worse than laughable. As it was, we rose like the spirits of the bog, covered *cap-a-pie* with slime, to free themselves from which, our wily ponies took to rolling about on the heather, and we had nothing for it but following their example. At length as we approached the gloomy loch, a huge eagle heaved himself from the margin and rose right over us, screaming his scorn of the intruders; and altogether it would be impossible to picture any thing more desolately, savage than the scene which opened, as if raised by enchantment on purpose to gratify the poet's eye; thick folds of fog rolling incessantly over the face of the inky waters, but rent asunder now in one direction, and then in another—so as to afford us a glimpse of some projecting rock or naked point of land, or island bearing a few scraggy stumps of pine—and then closing again in universal darkness upon the cheerless waste. Much of the scenery of *Old Mortality* was drawn from that day's ride.

POPULAR FAVOUR.—After all, a little literary reputation is of some use here. I suppose Solomon when he compared a good name to a pot of ointment, meant that it oiled the hinges of the half-doors, into which the possessors of that inestimable treasure wished to penetrate. What a good name was in Jerusalem, a known name seems to be in London. If you are



celebrated for writing verses, or for slicing cucumbers, for being two feet taller or two feet less than any other biped, for acting plays when you should be whipped at school, or for attending schools and institutions when you should be preparing for your grave, your notoriety becomes a talisman—an "Open Sesame" before which every thing gives way—till you are voted a bore, and discarded for a new plaything. As this is a consummation of notoriety which I am by no means ambitious of experiencing, I hope I shall be very soon able to shape my course northward to enjoy my good fortune at my leisure, and snap my fingers at the bar and all its works.

ORIGIN OF THE "QUARTERLY REVIEW," IN A LETTER OF SIR WALTER'S TO GIFFORD—"The extensive reputation and circulation of the "*Edinburgh Review*" is chiefly owing to two circumstances:—First, that it is entirely uninfluenced by the booksellers, who have contrived to make most of the other Reviews merely advertising sheets to puff off their own publications; and, secondly, the very handsome recompense which the editor not only holds forth to his regular assistants, but actually forces upon those whose circumstances and rank make it a matter of total indifference to them. The editor, to my knowledge, makes a point of every contributor receiving this *bonus*, saying, that Czar Peter, when working in the trenches, received pay as a common soldier. This general rule removes all scruples of delicacy, and fixes in his service a number of persons who might otherwise have felt shy in taking the price of their labours, and even the more so because it was an object of convenience to them. There are many young men of talent and enterprise who are extremely glad of a handsome apology to work for fifteen, or twenty guineas, although they would not willingly be considered as hired reviewers. From this I deduce two points of doctrine: first, that the work must be considered as independent of all bookselling influence; secondly, that the labours of the contributors must be regularly and handsomely recompensed, and that it must be a rule that each one shall accept of the price of his labour.

"The office of the editor is of such importance, that had you not been pleased to undertake it, I fear the plan would have fallen wholly to the ground. The full power of control, must, of course, be vested in the editor, for selecting, curtailing, and correcting the contributions to the Review. But this is not all; for, as he is the person immediately responsible to the bookseller that the work (amounting to a certain number of pages,



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more or less) shall be before the public at a certain time, it will be the editor's duty to consider in due time the articles of which each number ought to consist, and to take measures for procuring them from the persons best qualified to write upon such and such subjects. But this is sometimes so troublesome, that I foresee with pleasure you will be soon obliged to abandon your resolution of writing nothing yourself. At the same time, if you will accept of my services as a sort of jackal or lion's provider, I will do all in my power to assist in this troublesome department of editorial duty. But there is still something behind, and that of the last consequence. One great resource to which the Edinburgh editor turns himself, and by which he gives popularity even to the duller articles of his Review, is accepting contributions from persons of inferior powers of writing, provided they understand the books to which the criticisms relate; and as such are often of stupifying mediocrity, he renders them palatable by throwing in a handful of spice—namely, any lively paragraph or entertaining illustration that occurs to him in reading them over.

“There is one opportunity possessed by you in a particular degree—that of access to the best sources of political information. It would not, certainly, be advisable that the work should assume, especially at the outset, a professed political character. On the contrary, the articles on science and miscellaneous literature ought to be of such a quality as might fairly challenge competition with the best of our contemporaries. But as the real reason of instituting the publication is the disgusting and deleterious doctrine with which the most popular of our Reviews disgraces its pages, it is essential to consider how this warfare should be managed. On this ground, I hope it is not too much to expect from those who have the power of assisting us, that they should on topics of great national interest furnish the reviewers, through the medium of their editor, with accurate views of points of fact, so far as they are fit to be made public. This is the most delicate, and yet most essential part of our scheme. On the one hand, it is certainly not to be understood that we are to be held down to advocate upon all occasions the cause of administration. Such a dereliction of independence would render ~~entirely~~ useless for the purpose we mean to serve. On the other hand, nothing will render the work more interesting than the public learning, not from any vaunt of ours, but from their own observation, that we have access to early and accurate information in point of fact. The Edinburgh Review has profited much by the pains which the



Opposition party have taken to possess the writers of all the information they could give them on public matters. Let me repeat that you, my dear sir, from enjoying the confidence of Mr. Canning and other persons in power, may easily obtain the confidential information necessary to give credit to the work, and communicate it to such as you may think proper to employ in laying it before the public.

“Concerning the mode and time of publication, I think you will be of opinion that monthly, in the present dearth of good subjects of Review, would be too often, and that a quarterly publication would both give you less trouble, and be amply sufficient for discussing all that is likely to be worth discussion. The name to be assumed is of some consequence, though any one of little pretension will do. We might, for example, revive the ‘English Review,’ which was the name of Gilbert Stewart’s. Regular correspondents ought to be sought after, but I should be little afraid of finding such, were the reputation of the Review once decidedly established by three or four numbers of the very first order. As it would be essential to come on the public by surprise, that no unreasonable expectation or artificial misrepresentation might prejudice its success, the authors employed in the first number ought to be few and of the first rate. The choosing of subjects would also be a matter of anxious consideration; for example, a good and distinct essay on Spanish affairs would be sufficient to give a character to the work. The lucubrations of the Edinburgh Review, on that subject, have done the work great injury with the public, and I am convinced that of the many thousands of copies now distributed of each Number, the quantity might be reduced one-half at least, by any work appearing, which, with the same literary talent and independent character, should speak a political language more familiar to the British ear than that of subjugation to France. At the same time, as I before hinted, it will be necessary to maintain the respect of the public by impartial disquisition; and I would not have it said, as may usually be predicated of other Reviews, that the sentiments of the critic were less determined by the value of the work than by the purpose it was written to serve. If a weak brother will unadvisedly put forth his hand to support even the ark of the constitution, I would expose his arguments, though I might approve of his intention and of his conclusions. I should think an open and express declaration of political tenets, or of opposition to works of a contrary tendency, ought for the same reason to be avoided. I think, from the little observation I have made, that the Whigs suffer most deeply .



from cool sarcastic reasoning and occasional ridicule. Having long had a sort of command of the press, from the neglect of all literary assistance on the part of those who thought their good cause should fight its own battle, they are apt to feel with great acuteness any assault in that quarter; and having been long accustomed to push, have in some degree lost the power to parry. It will not, therefore, be long before they make some violent retort, and I should not be surprised if it were to come through the Edinburgh Review. We might then come into close combat with a much better grace than if we had thrown down a formal defiance. I am, therefore, for going into a state of hostility without any formal declaration of war. Let our forces for a number or two consist of volunteers and amateurs, and when we have acquired some reputation, we shall soon levy and discipline forces of the line.

"After all, the matter is become very serious,—eight or nine thousand copies of the Edinburgh Review are regularly distributed, merely because there is no other respectable and independent publication of the kind. In this city, where there is not one Whig out of twenty men who read the work, many hundreds are sold; and how long the generality of readers will continue to dislike politics, so artfully mingled with information and amusement, is worthy of deep consideration. But it is not yet too late to stand in the breach; the first number ought, if possible, to be out in January, and if it can burst among them like a bomb, without previous notice, the effect will be more striking. Of those who might be intrusted in the first instance, you are a much better judge than I am. I think I can command the assistance of a friend or two here, particularly Wm. Erskine, the Lord Advocate's brother-in-law and my most intimate friend. In London you have Malthus, George Ellis, the Roses, *cum pluribus aliis*. Richard Heber was with me when Murray came to my farm, and knowing his zeal for the good cause, I let him into our counsels. In Mr. Frere we have the hopes of a potent ally. The Rev. Reginald Heber would be an excellent coadjutor, and when I come to town I will sound Matthias. As strict secrecy would of course be observed, the diffidence of many might be overcome;—for scholars you can be at no loss while Oxford stands where it did,—and I think there will be no deficiency in the scientific articles."

We have a few more interesting *tit bits*, yet untouched, to be presented to our readers on a future occasion.



## INDIAN INTELLIGENCE.

## Calcutta.

## INSOLVENT COURT.

In the Insolvent Court on 14th Jan. dividends were ordered in the following estates:—Mackintosh and Co., 3 per cent.; Palmer and Co., 1 per cent. And applications were made for leave to declare dividends in the estates of the three firms under-mentioned, the amount to be fixed at the next Court day, namely, on the 28th inst. The per centage proportions expected to be divided are:—in the case of Alexander and Co. 3 per cent.—Colvin and Co. about 7 per cent.—and Cruttenden, Mackillop, and Co. 15 or 20 per cent.

*In the Matter of James Cullen.*

This was an application on behalf of Messrs. James and George Mackillop, Thomas Hutton and David Bryce, the retired partners of Messrs Cruttenden and Mackillop, to be allowed to prove against the estate of the insolvent firm, for certain sums of money due to them. The rule nisi had been obtained by Mr. Clarke, and was opposed by Mr. Leith, on behalf of Captain Warlow, and an order was made for the examination of witnesses to be produced by the opposing creditor. Mr. Leith appeared to-day, and called Mr. James Cullen as his first witness. The Advocate-General and Mr. Clarke appeared for the retired partners. Mr. Leith having stated that he appeared on behalf of parties, who were creditors to the extent of 15 lacks, Mr. Clarke denied that this was the case, and read the rule, which was granted on the application of Mr. Leith, counsel for Thomas Warlow, no mention being made of any other person. Sir Benjamin Malkin observed it could make no difference, for, if Captain Warlow had a right to appear, Mr. Leith was entitled to go on. Mr. Clarke admitted Mr. Leith's right, and said he had referred to the rule of the Court not to stop, but only to correct Mr. Leith, as he never would let a misstatement pass; he had no right to represent to the Court that persons were his clients, who did not appear to be so, by the proceedings in Court. Mr. Leith then examined Mr. Cullen from half past twelve to four o'clock, and the Advocate-General then cross-examined him. The object of Mr. Leith was to shew, that the firm was insolvent at the time the different partners retired, and that no sufficient notice of the retirement was given to the public. Mr. Cullen swore posi-

tively that the house was solvent up to the very day that it failed, and that its failure was solely occasioned by the withdrawal of public confidence. He said the *bona fide* value of the assets exceeded the amount of debts, but that the deficiency was occasioned by an immediate demand of payment, and the impossibility of realizing the property of the house at a moment's notice; that the Bank of England itself, had, in 1825, nearly failed from similar circumstances. Sir Benjamin Malkin observed, and you might add, nearly every mercantile house in London. Mr. Pearson mentioned that the house of Williams, the Bankers, had stopped from the mere want of available funds, when the landed property of one partner, only, was £10,000 a year. In proof of the stability of the house, Mr. Cullen stated, that Mr. Robert Brown had, in 1827, resigned a medical practice in Calcutta, of 30,000 rupees per annum, and become a partner, bringing in with him nearly two lacks of rupees at the same time. Mr. Thomas Hutton, who had for many years been the head of Althorpe's house, resigned his own firm, and joined them, also bringing in about two lacks. Mr. Woolf, who knew the state of the firm better than any man, from having been a number of years the book-keeper, retired in 1829, leaving about 60,000 rupees of his own, and large sums of trust money in the house, the whole of which he could have drawn out, but which had now been lost. Much examination took place regarding the reserved fund, and several sharp questions and answers passed between the council and the witness, Mr. Leith declaring he did not understand the explanations given by Mr. Cullen, which that gentleman admitted was evident, but added it was equally evident that the learned Judge understood them perfectly. Sir Benjamin Malkin had frequently put questions to the witness, and inspected the books, and it is well known of him here, as it was at home, that few can excel him in readiness and accuracy of calculation. The high Cambridge wranglers have invariably made the most valuable mercantile lawyers. At ½ past 4 o'clock Mr. Leith stated he had many other witnesses to call, and the Advocate General applied for leave to examine Rustomjee Cowasjee, which was granted: the Court then adjourned to 11 o'clock on Saturday the 21st inst.



## SUMMARY.

*India Bank.*—We insert in another column a letter extracted from the *Times* of the 27th Aug. respecting the much-talked-of "*India Bank*," partly as indicative of an intention to persevere in its establishment, and partly as an amusing instance of self-deception. The writer is evidently some respectable "*Quihy*," enjoying, no doubt, his "*otium cum dignitate*" at "*Basingstoke, Hants*," by means of certain shares in the Bank of Bengal; and having a very orthodox horror at all schemes tending to "lower the rate of usance," he consistently enough begs the capitalists of England to shut eyes and ears against all seductive tales of "cent. per cent.," inasmuch that there are plenty of tenders of money and pawnbrokers from Cape Comorin to "*Great Lahore*," but he forgets to name "the consideration"—the "*quid pro quo*"—plays Hamlet without the Prince's appearance, and tells the starving beggar that the "*City of London Tavern*" is open to the public. The recent dividend on the shares in the Union Bank, is a sufficient answer to his assumption that the Bank of Bengal is amply sufficient for all the purposes of the state and the commercial community.

## BANK OF BENGAL:

Balance of the Bank of Bengal, the 31st December, 1836.

Dr.	Co.'s Rs.	A. P.
Cash and govt securities	97,57,623	7 7
Loans on deposit of govt securities	59,72,655	7 5
Bills on govt discounted	33,62,744	9 3
Private bills discounted	18,88,701	3 0
Joint liability bills and notes	5,92,585	10 8
Purchasers of pledged and forfeit securities	4,28,673	15 3
Doubtful Debts	80,630	0 11
Accounts of credit on deposit securities	9,59,226	4 1
Advance for legal proceedings	2,226	1 5
Dead stock	1,19,870	8 7
	Co.'s Rs.	231,94,737 4 2

Cr.	Co.'s Rs.	A. P.
Bank notes and post bills outstanding and claims payable on demand	1,50,91,739	7 6
Suspense account, B.N.	43,908	2 1
Suspense account	3,62,347	7 0
Net stock	76,96,742	3 4
	Co.'s Rs.	231,94,737 4 2

Remarks:—The items of the foregoing statement, which would appear to call for

remark, are "*Joint Liability Bills and Notes*," "*Purchasers of Pledged and Forfeit Securities*," "*Doubtful Debts*," "*Advance for Legal Proceedings*," "*Suspense Account, B. N.*," and "*Suspense Account*."—"*Joint Liability Bills and Notes*."—This item is the balance of the principal amount of the acceptances (with charges) for which the estates of Messrs. Cruttenden, Mackillop and Co., Alexander and Co., Fergusson and Co., and Mackintosh and Co., are liable. For this sum the Bank holds the direct liability of the four firms.—"*Purchasers of Pledged and Forfeit Securities*."—This item shews the balance of the acceptances for which the collateral securities of the estate of Messrs. Alexander and Co. have been sold:—the title deeds of the several properties remaining with the bank pending payment in full of the purchase monies. Since the last Report the balance has been reduced in the sum of Co.'s Rs. 1,27,939-0-11.—"*Doubtful Debts*."—The sum of Co.'s Rs. 80,630-0-11 is the balance of Co.'s Rs. 7,66,611-14-0, the difference having been written off as bad debt. This balance was valued by the Directors on the 31st Dec. last at Co.'s Rs. 1,65,141-2. The profit on the banking business of the past three months, including the premium of the new stock lapsed to the bank, and sold by it on its own account (under section 6, of Act XIX. of 1836) amounts to Co.'s Rs. 1,96,742-3-4, or at the rate of Co.'s Rs. 10 7-10½ per cent. per annum on the stock. Of this sum the Directors have declared a dividend at the rate of Co.'s Rs. 10 per cent. per annum or Co.'s Rs. 1,87,500 for the quarter ended the 31st December last, and the balance Co.'s Rs. 9,242-3-4 has been carried to Doubtful Debts, towards liquidation of the account.—Exclusive of the profit arising from the premium on the new stock sold as before-mentioned, the profit will give an amount equal to a dividend of Co.'s Rs. 8-10-4 per cent. per annum on the capital stock.—"*Advance for Legal Proceedings*."—The amount of this item was advanced to meet the costs of the appeal made by the assignees of Palmer and Co. against the judgment obtained by the Bank in the Supreme Court, in the matter of surplus proceeds of the Company's paper of the estate of Messrs. Palmer and Co. held by the bank.—"*Suspense Account, B. N.*"—The sum at credit of this account is the balance of outstanding old bank notes marked A. Since the Report of the half year ended 30th June last, only Co.'s Rs. 247-7-6 of notes of this description have been paid.



—"Suspence Account."—The sum at credit of this account consists of the interest on the advances of indigo made to the Assignees of Alexander and Co., and of other items relating to the Bank's transactions consequently on the failure of the late firm of Messrs. Alexander and Co.—By order of the Directors, G. UDNV, Secy to the Bank.—Bank of Bengal, 5th Jan. 1837.

*The Liberty of the Press.*—The *Hurkaru* published last week an extract from a letter written in London, by a gentleman high in the Civil Service, in which he states that his Majesty's ministers combined with the Court of Directors in condemning the liberation of the Indian Press, and that he might shortly expect to receive orders for curtailing the liberty we now enjoy. He adds that this enlightened measure had cost Sir Charles Metcalfe the Government of Madras. The repugnance of the Court of Directors to the freedom of the Press is nothing new. It appears to be regarded as a kind of heirloom in Leadenhall-street. Whatever changes time may effect among the members of that Court, this principle of hostility remains the same. But when we are informed that his Majesty's ministers—a Whig ministry—a Reform ministry—a ministry who are by many suspected, and not without reason, of gravitating to Radicalism, after having removed the last restriction on the freedom of the Press in England by so large a reduction of the Stamp duty, are hostile to the extension of this vital privilege to India, and that if this liberality has obtained the sanction of Sir J. C. Hobhouse, the intelligence appears utterly incredible, and for the honor of human nature rather of human consistency, we suspend our belief till some more authentic testimony is obtained of the fact.

We understand that F. Dickens, Esq., has been appointed Ecclesiastical and Admiralty Registrar of the Supreme Court, in the room of W. H. Sinoult, Esq., resigned. In accepting this appointment Mr. Dickens has vacated that of Master in Equity, to which Mr. A. Dolbe has succeeded.

Our diurnal cotemporary, seems considerably discomposed by the English agitation of the "India Bank" question, and is not sparing of his sneers at the "respectable agents" who have taken an interest in it. When we remind him that "Sir Charles Cockerell and Co." are among "the impudent" and "the ignorant" who have lent their names to it, he may perhaps change his tone. Whether a capital of £5,000,000, be or be not an

adequate basis for entrusting to the proprietors the receipts of a Government revenue not exceeding £11,000,000 and the disbursement thereof, we will not here discuss, merely remarking that the Bank of Bengal, with a fifth of the amount, was at one time selected to perform those functions. There is a wide difference too between "receipt" and "collection;" and we are not aware that the "India Bank" ever contemplated the latter.—Their proposal was, if we recollect rightly, for we have not the prospectus at hand, to undertake all the monetary transactions of the Government, something in the same manner that the Bank of England does at home; and we never heard any objection raised to the system, because the capital of the Bank was only £15,000,000 and the revenue some £50,000,000. Our own opinion is, that the original promoters of "the India Bank" would have brought their plans into an earlier and more effective shape, had they not included the Government business and the purchase or absorption of the Bank of Bengal and Union Bank; and that the introduction of these measures is attributable to some of the open supporters but secret enemies of the Bank itself, for the very obvious purpose of swamping an establishment which contemplated remittance operations on a large scale. Whether they will be successful or not would appear problematical; but, at all events, it is understood that the subscribers to the "India Bank" will have to pay at least 50 per cent. down upon shares of £100, a sufficient precaution against the speculators of Change Alley; and a guarantee for the solidity of its character. The "Saugor Rail Road" which has found favor in the *Englishman's* eyes, came out with shares of £100 with a payment of £2, and was driven to the disreputable artifice of using the names of persons as directors who were entirely ignorant of the whole thing. So much for "impudence" and "ignorance."

*Saugor Rail Road Company.*—We understand that, owing to circumstances with which it is not necessary to trouble the public, Mr. Hornemann, who lately came out to Calcutta in behalf of the Saugor Rail Road Company, is about to return to England. Mr. Hornemann's absence will, however, be but temporary, as he is now, we hear, perfectly satisfied of the feasibility of the project, some slight deviations from the original plan suggested by recent surveys being to be made by the directors. The report of the officer who lately went down to ascer-



tain the state of the navigation of Lacam's channel and Channel creek is, on the whole, very favorable to the project. The practicability of the latter is, we believe, determined to be beyond all question, and as the Saugor Rail Road Company will, of course, adapt the situation of their road and dock to the state of the channels, the feasibility of navigating Lacam's channel becomes a matter of less present importance. We shall look with some anxiety for Mr. Hornemann's return, for there can be no doubt that, if the plan in the amended shape proposed, be practicable, it will merit the fullest support from the community of Calcutta. As connected with Mr. Hornemann's skill in the matter of railways, the following particulars connected with the Greenwich railway may not be uninteresting to our readers. "The Greenwich railing may be said to be a continuation of the new London Bridge to Greenwich; it is elevated on arches of brick work averaging 26 feet from the ground to the crown of each, 25 feet in breadth, with a foot path of the same dimensions, the south side is planted with various forest trees, which forms a delightful walk for the citizens of London; there is also a road on the north side of 25 feet, which the directors have not determined as yet for what purpose they will appropriate it. The arches are letting as shops, and at the London end will form a bazar. Two miles and a half of the railway is in operation, and the concourse of persons to visit it is beyond all sanguine expectation. No accidents have occurred. It will form one stupendous bridge of 1,000 arches from London to Greenwich, and was projected by Colonel George Landmann of the royal engineers. The capital of £400,000 was obtained by Mr. George Walker of East Dulwich, whose extraordinary exertions in this great work to reduce the project to practice may be conceived, when no less than 40 petitions appeared against the bill in Parliament. Mr. Hornemann was engaged, we understand, under Col. Landmann, from the commencement of this great work: it cost £100,000 per mile, and £1,700 has been given for one foot of freehold from stage ground with a depth of 70 feet at the London end. The distance of two and a half miles which is open to the public is performed in five minutes with a train of six carriages each containing 30 persons.—*Englishman*, Jan. 13.

**List of Candidates for Secretaryship Agra Bank.**—For the satisfaction and information of all concerned I annex

a list of applicants, or candidates for the Secretaryship of the Bank:—Mr. Grant, Calcutta; Mr. Gordon, Calcutta; Mr. Johnson, Bombay; Captain Gray 21st N. I.; Mr. French, Agra; Mr. Worsley, Neemuch; Mr. Bridgman, Goruckpore; Mr. Cooke, Bank of Bengal, Calcutta; Mr. Meicklejohn, Attorney, Calcutta; Captain Cox, Invalids, Simlah; Mr. Lloyd, Allahabad; Mr. Paterson, Ghazceppore; and (I believe) a Mr. Abbott. Making a total of thirteen applicants.—*Meerut Obs.*

**The Post Office Committee.**—Private letters from Calcutta assert that the Customs and Post Office Committee have recommended to Government, to fix the postage on newspapers at three annas each, without reference to distance; that some of the members wished to fix the amount at two annas, but that vote was negatived. We have heard that one member was desirous of emulating the liberal example set by the Legislative Council at Ceylon, and actually proposed that the postage on all newspapers should be reduced to one anna.—We think it would be worthy of a liberal Government to offer an indirect premium on knowledge by reducing the amount of newspaper postage, and we are convinced that ultimately the revenue would be increased by means of extended circulation. Many hundreds of individuals would take in a newspaper out for the expense of postage.—A compromise of three annas would greatly benefit the Calcutta Press at the expense of the Mofussil, as the circulation of the latter, being, in a great degree, local, seldom extends beyond the neighbouring four hundred miles, whereas one half of the circulation of the former extends to stations beyond the two and a half anna limit.—We shall defer our remarks till we gain further and authentic information of the measures likely to be advocated by the Custom and Post Office Committee; in the mean time we feel convinced that they will never propose or sanction any measure, likely to injure the Mofussil Press.—*Delhi Gaz.* Jan. 4.

We have been made acquainted with a very singular exercise, by Sir John Grant, of the powers vested in him, as a Judge exercising an Admiralty jurisdiction.—An American ship, the "Hindoo," Captain Bacon, now in this port, has been seized, and is now, we understand, under seizure under the following circumstances: Two sailors shipped themselves as Americans on board at New York, and signed articles for the outward and return voyage. One of them was found, on more than



one occasion, we believe three times, asleep at the wheel! Captain Bacon caused the man to be flogged. On arriving in port, the man quitted the ship, made an affidavit that he is an Englishman, and broke his articles by refusing to work. The Judge, upon Captain Bacon refusing to pay the man his wages, permitted him to libel the ship, and she is now detained, and cannot proceed on her voyage, until this claim be settled.—Captain Bacon has, we understand, presented a petition to Lord Auckland.—The case is one of great interest. We abstain at present from comment upon it, awaiting the result of the application to his Lordship. We will only observe, that if seamen find that by making an affidavit when in this port, that they are not what they represented themselves when they signed their articles, and that by so doing, they can get rid of those articles, and enhance the value of their emancipation, by an immense loss, if not ruin to their commander, against whom they may cherish a spirit of revenge, why, that the judges will have plenty of affidavits of this description laid before them, and foreign merchants, will soon cease, in consequence, to send their ships to the port of Calcutta.—*Hurk.* Dec. 22.

*Reduction of Duties on Silver Plate.*—Perhaps it may not be generally known to persons going home, that the duties on the importation into England of silver plate, manufactured in this country, and in colonies, have been very much reduced. The duties have been so enormously great as to amount to a prohibition, so that persons leaving Calcutta for England have uniformly disposed of all their silver plate at public sale, and sometimes at a very considerable sacrifice, in preference to retaining it and paying the price over again for it on their arrival to England in the shape of import duties. Valuable and valued pieces of plate, possessed as memorials of friendship or affection—as testimonials to merit and tokens of public or private approbation—and those won in the sporting competition, may now be landed in England without being liable to an amount of duties but a little less than their full value.

We lament to state, that a shocking instance of oppression has recently been brought to light near Chittagong, on the part of a salt darogah. A party of men who were conveying salt, without a pass, which salt they declared had been purchased at a Government sale, were seized and confined as smugglers. The darogah forthwith proceeded to put them to torture, by tying their arms behind them and

then hauling them up by ropes to the roof. One of the party escaped by bribing the rascal; the others were either unable or unwilling to pay for their release, and, horrible to relate, after a continuance of the above treatment the darogah actually starved four of them to death, and then reported that they had died of cholera. But the bodies being sent for and examined by a medical officer, it was found that the report of cholera was false, and that the stomachs of the poor wretches had been destroyed by the operation of the gastric juice, for want of food. No doubt exists of their having actually perished from starvation. We have seldom heard of a more truly diabolical proceeding. It is, however, some satisfaction to state, that the darogah and his accomplices are now in custody at Chittagong, and as the case is under investigation before the judge of that station, it is to be hoped many days will not elapse, ere, if convicted, the guilty parties will be made to pay the penalty of their crime.—*Hurkaru*, Jan. 3.

The following is an extract of a letter from a gentleman high in the Civil Service, now in England, which, it will be seen, confirms the rumour we lately published, respecting the loss of two per cent. on the salaries of public servants. We shall be glad to hear more of the despatch respecting the Peers, of which we were aware some weeks ago, but it is a sealed book to us as yet.—“I went to all influential Directors when I arrived, as well as to the new Secretary, and told them exactly how matters stood in Calcutta when I left it. I particularly requested their attention to the new doctrine of the expediency of enforcing payment of the land revenue, by a strict adherence to the letter of the law in regard to the sale, and referred them to the correspondence on the subject, which had been or would be submitted by the Bengal Government; so I have no doubt you will, ere long, hear what the Court think of the matter. They do not approve the present system of putting deserving young men without experience into the secretariat, and perhaps some order interfering with that description of patronage, as well as such appointments as Higginson's, will be issued. The merit fostering report system is entirely condemned; the abolition of flogging in the native army, and many other measures of Lord Wm. Bentinck's Government have been disapproved of; the liberation of the Press has lost Metcalfe the Government of Madras, and the supporters of that measure are deemed inconsiderate and



rash men. The Ministry concur in this opinion and the order which has gone out on this subject will no doubt cause a great sensation in Calcutta, and be a grand text for your editors to preach upon. The Government determination in payment of salary in the new currency has not been considered just, and I understand that orders have gone out directing that no individual shall suffer loss, but shall have the value of his siccas paid in company's rupees.

A rumour has reached us that a proposition has been made by an influential Govt. Director of the Bank of Bengal, and acquiesced in by a majority of the Commercial Directors, to employ the funds of that establishment in the purchase of Bills of Exchange,—whether secured by shipping documents or not, we have not heard; but in either case we consider the project as altogether inconsistent with the objects of a bank of issue, if not at variance in this instance with the Bank charter itself.—A bank enjoying the credit of Government by the receipt of its notes in the public offices, as well as by a considerable portion of its shares being held by Government stands in a situation peculiarly intended to afford assistance, in case of any serious disturbance in the money market, to the commercial community; but this intention would be at once frustrated if its capital were placed beyond its reach in adventures requiring 12 or 14 months for their completion.—It would seem, too, rather assuming the character of a rival to the mercantile community than acting as a friend, which is its professed title, in entering on remittance operations, and would to a certain extent be reviving the evils, which it was supposed the cessation of the Company's interference in the market would for ever remove. We should like to have the opinions of our commercial friends on the question, which is important.—*Hurk. Jan. 7.*

*Melancholy Accident.*—You will, doubtless, be somewhat astounded at the recital of the following melancholy accident, which took place among us last evening, between the hours of four or five P. M. Captain Lloyd, Marine Surveyor General, and Mr. Jones, the 2nd officer of the *Meriton*, had occasion to land at Light House Point, with the intention of taking angles in a grove in its vicinity, better known by the appellation

"Jackson's Grove." Upon their arrival in the open plain that skirts the grove in question, they came upon some deer, (the spotted axis) and as they seemed extremely shy, Captain L. sug-

gested that perhaps by cutting through the jungle they might intercept their retreat; accordingly, they did so, and had not proceeded further than twenty paces in the prosecution of their object, before Captain L. (who was in advance) gave the alarm by calling out in English, "here is a large tiger!" and with one native guiding, the whole of them retreated. Captain L. succeeded in clearing the jungle and reaching the open plain; Mr. J. not knowing exactly his proximity to the monster, fortunately got behind the trunk of a large tree; where he had not been two seconds ere the animal passing him to the left with the velocity of an arrow seized upon its victim; one of our best lascars, and was trailing off to the left in the dense jungle; to have fired, would have but called down the vengeance of the animal upon himself, and he, therefore, when brought to a sense of the imminent danger in which he was placed, meditated his escape. which, thanking God, he effected through the assistance of a good pair of heels. Being a fixture, Mr. J. had a good opportunity of witnessing the awful scene, and says,—“I saw the monster glide past me with the swiftness of an arrow, seizing his victim (whom he must have marked) behind the neck, crushing his bones to atoms. He then let him fall, and finding him too heavy to throw over his back, he trailed him leisurely towards his lair, with the feet of the poor fellow between the fore-legs of the beast.” Captain L. lost his sextant in the affray, which was in the poor fellow's hands at the time.

*Local Distress in Calcutta.*—So numerous have been the applications for the situation of Interpreter to the Court of Requests, vacated by the untimely demise of Mr. J. Santos. (who hung himself, owing to melancholiness, brought on, as it is rumoured, by domestic calamity) that the Commissioner, Mr. G. J. Gordon, who is daily examining the qualifications of the several candidates, has not yet been able to go through the list. During this week, there must have been nearly 100 candidates for the appointment, the salary of which is 150 Rs. per month. Amongst this number were many respectable individuals, who once must have seen better days: we particularly noticed Shaik Abdoolla, whose father was, near the period of his demise, reputed to be one of the richest natives in Calcutta. If distress for employment continues to increase in this ratio, and it must, as the rising generation increases, what will become of the East Indians,



unless they even now, at the eleventh hour, turn their hands to some other employment, besides that of writers in Government Offices, which are already almost overstocked with them? Surely, they do not mean apathetically to let matters take their course, and then be reduced by necessity (from their ignorance of any professional line of business) to accept of the situations, in course of time, of khansamas, coachmen, kiddyut-gars, &c., which they must at last come to, unless they qualify themselves in some profession?

*The Turf.*—We said a year ago, that we were sure the Calcutta Turf would hold up its head as of old, if people would only abstain from gambling and measure their coats by their cloth. They have done so—and see the result! The second meeting, since the revival of the races, commences on Monday, continues for six days, and will, it is said, bring out a greater number of horses than have ever been upon the Calcutta Turf at any one time! Some of the prizes are of the most costly and elegant description. There are three cups, about two of which (the Auckland and the Dwarkanath) the daily papers have been quite eloquent—claret jugs, sweepstakes, purses, &c., &c. The strongest stables are those of Mr. Sailor, Mr. Alexander, Mr. Grey, Mr. Dale, and Mr. White: Mr. North East's Horses, Abdallah and Planet, which bore the bell at Hadjeeepore, are here, but it is hinted that Abdallah will not be able to start. The horse, Comet, the pride of the meeting last year, is fresher than ever. Sirocco his first antagonist is likewise in good condition, but there is some uncertainty about his coming to the post. Mr. Grey has Skipper, a horse of much promise, and there is Hoomayoon, and a few others of equal pluck. It is expected that the visitors to the races will be very numerous, but in order to keep the stand clear for those who have a right to be there, all subscribers are expected to present tickets at the door. The tickets may be had on applying to the Secretary.

*The Bank Dividend.*—In announcing the Bank dividend yesterday, we erroneously stated it to be for the half year, forgetting that a dividend had been made on the 1st October last, for the three months preceding. The present dividend is, therefore, only for the last quarter, the amount of it being 100 Co.'s Rs. per share.—*Cal. Cour.*, Jan. 7.

*Gen. Allard.*—The Burdwan Rajah. —General Allard has quitted Calcutta, to-day by steam for Allahabad, en route

to the head quarters of Runjeet Sing.—The numerous attentions he received from the European society did not prevent his visiting such of the Natives of distinction as expected him to do so.—Among them was our friend Rajah Kalikrishna, who, we are quite sure, has duly appreciated the General's civility. One person, however, has been honored with a visit nay two visits from him under circumstances which make the attention somewhat remarkable. We allude to the General's having twice gone to Hooghly for the purpose of seeing the *soi-disant* Rajah of Burdwan. We are informed that the General recognized him as being a person whom he had seen in the character of a fakcer some years back in Loodiana; and further, that he remembers that the fakcer then declared himself to be a Rajah, but did not say what title he claimed.—This evidence of identity therefore, goes very little way to establish a claim to the Burdwan Raj. The same ambition which would now aspire to this title, might have been working then before its plan was matured. The circumstance of these visits of General Allard, however, must tend to give some degree of credit to the man's pretensions, whatever may be the truth or falsity of the strange tale with which he has been amusing the lieges. It does, however, seem to us very desirable, considering the vast property affected by this extraordinary claim, that some opportunity should be given to prove or disprove the identity of the individual with the young Rajah whose death was given out some 20 years ago, under circumstances of considerable suspicion. The mystery which now hangs over the man is productive of great mischief by encouraging fraud and gambling. By confining the man at Hooghly, and creating difficulties of release after the term of his imprisonment shall have expired, the Mofussil Magistracy has, in fact, been playing his game for him, if he be an impostor.

*Union Bank.*—The annual Meeting of proprietors took place according to notice, at the Bank on 14th January, Captain Vint in the chair. The Secretary read the following Report of the last half year's proceedings.—Report of the operations of the Union Bank, from 1st July to 31st December, 1836:—The present half-yearly report exhibits a continued favorable state of your affairs.—The net profits of the past six months, amount to Co.'s Rs. 1,29,902-11-11; being at the rate of 12-2-10½ per cent per annum, on the actual capital stock.—This, though rather more than two per cent. under



last half year, is still very satisfactory : the difference may, perhaps, in some degree, be ascribed to a diminution of more than a lack in the circulation of our notes. The highest and lowest points of issue last half year, were Co.'s Rupees 7,57,000, and 4,04,000; this year they are only Co.'s Rs 7,05,000 and 3,23,000, a falling off in about the proportion of five to six.—It seems probable that the circulation is somewhat affected by the continued inconvenience of using Sican Notes jointly with the new coinage in Company's Rupees, which renders troublesome fractional calculations, and payments, necessary.—This point, however, will soon be put to the test ; the last advices from our agents in London, Sir Charles Cockerell and Co, assured us of the probable dispatch of our new Company Rupee notes in the course of August, and they will, doubtless, soon arrive and pass into circulation.—Of the thirty supplementary shares—the privilege of proprietors in Europe—all have been taken up except six.—The resolution of the 14th February, last year, required shareholders in India, to take them up by the 30th April, and absentees, in Europe, by the 31st December; in default of which, their privilege of subscription, at par for supplementary stock, would be forfeited, and sold among the other proprietors.—These six absentee supplementary shares are now, therefore, liable to be sold as above ; unless you should think it expedient to extend the time a little longer under all the circumstances of the case. The individuals concerned are only two ; they have been several years absent, and are original bank proprietors ; one, a gentleman in the army, holding two shares ; the other, of the civil service, holding four ; but the agent, in Calcutta, of one, has no power to act in this matter ; while the Bank, itself, represents the other, under instructions left with us, to carry his dividends to an accumulating account, large enough, now, to pay for three out of his four supplementary shares.—No advices have ever since been received from the party.—At present market prices the value of the three would more than pay for all four.—I shall conclude this report with a few words—and for the last time I hope—on the subject of the Bank " Dependencies." —In the last report it was shewn how this item, which formerly stood at the formidable amount of Sa. Rs 2,72,201-4 10, or Co.'s Rs 2,90,348 0-9, (representing all the losses of the Bank since its commencement) had been nearly extinguished within a comparatively short

period, by partial recoveries and by surplus profits, amounting, together, on the 30th June last, to Co.'s Rs. 2,99,806-8-9. Leaving uncovered, only

Co.'s Rs. . . . . 6,541 8 0

Against this is now to be set

a further reserve of profits from the last half year

amounting to . . . 21,783 2 6

Leaving an absolute balance

in favor of the Bank 15,241 10 6

To this amount then—of Co's Rs 15,241-10-6—there is at length a tangible nett surplus in hand, to which may be added any portion of the present divisible profit of 12-2-10½ per cent., or nearly 1,30,000 Rs., which you may consider it expedient to keep in reserve from the dividend which you are about to declare.—Something more may be expected from the estate of Palmer and Co.—we are assured by the assignees—and something considerable, we expect, from the estate of Gopey Mohun Doss.—These will henceforth reckon as so much clear gain ; and the whole taken together, will more than enable us to write off the remnant of 7,000 Rs. of old notes, and to pay for the new ones estimated at £1,000, or £1,200, without deductions from future dividends.—If you now determine to divide 12 per cent., or nearly the whole six months profit as reported, namely, Co.'s Rs. 129,902 11 11, there will remain actually in

reserve only . . . Co.'s Rs. 1,952

The dividend on each full share

will be . . . . . 163

On each supplementary ditto . . . 54

If you divide 11 per cent a reserve will

remain of . . . 12,587 11 11

The dividend on each full

share will be . . . 148 8 0

On each supplementary

ditto . . . . . 49 8 0

If you divide 10 per cent a reserve will

remain of . . . 23,252 0 0

The dividend on each full

share will be . . . 135 8 0

On each supplementary do. 45 2 8

J. YOUNG, Secretary:—Union Bank,

14th Jan., 1837.

The following resolutions were unanimously carried:—I. Proposed by Mr. H. M. Parker, seconded by Capt. Sewel —That the Secretary's Report now read, is approved, and that it be published — II, proposed by Mr. J. Mackenzie, seconded by Mr. S. Smith—That the accounts now submitted, are approved, and passed by this Meeting, and that the books be closed accordingly.—III. Proposed by Mr. W. Duffee, seconded by Mr K. R. Mackenzie—That a half yearly



dividend at the rate of 11 per cent. per annum. Being Co.'s Rs. 148-8 per full share, and Co.'s Rs. 49-8 per supplementary third share, be now declared.—An amendment was moved by Mr Parker that instead of 11, the dividend be 12 per cent, which amendment was carried unanimously.—IV. Proposed by Mr. W. R. Young, seconded by Mr. J. Fergusson —That the Directors' nomination of Baboo Dwarkanauth Tagore, to act as Director for Wm. Carr, Esq., and of R. S. Thomson, Esq., in the room of F. H. Burkinyoung, Esq., pending the confirmation of the Proprietors, are hereby

confirmed accordingly.—V. Moved by Mr. K. R. Mackenzie, seconded by Mr. H. M. Parker—That six months more be allowed to Colonel Childers, H. M.'s Service, and E. Stirling of the H. Co.'s Civil Service, absent in Europe, to take up the six supplementary shares allotted between them, which will be sold peremptorily at the next half yearly meeting, if not availed of by the 30th June 1837.—VI. The thanks of the Meeting were then moved by Mr. R. S. Thomson, seconded by Mr. W. Bruce, and carried unanimously; after which, the Meeting broke up.

*The Trustees of the Union Bank in Account current with the Proprietors.*

Dr.	December 31, 1836.	Co. Rs.
To Establishment and House Rent, from 1st July to this date	:	27,203 9 8
To Charges General—being for Law Charges, Stamps, Stationery, &c.	:	4,206
To Dead Stock—for amount written off for the half year	:	400
To printed Bank Notes—written off against them	:	2,000
To Balance—due to the Proprietors:—		
In Silver	2,25,315 5 0	
In Bank of Bengal Notes	14,48,112 0 0	
	<hr/>	16,73,427 5 0
In Dead Stock		4,320 0 0
In Printed Bank Notes		7,000 0 0
Realizable—Govt Bills discd.	8,24,311 14 0	
Private Bills discounted	15,80,742 15 2	
Loans on deposit	4,75,511 14 11	
Cash credits	17,84,994 7 8	
Government 5 per cent paper	1,36,640 0 0	
Government 4 per cent paper	2,49,120 0 0	
At the Bank of Bengal	0 15 0	
Bills on the Court of Directors	3,762 12 7	
In Suspence Account being Interest on Loans, Govt Paper, &c., less interest paid to Depositors	63,638 13 8	
Dependencies	1,75,127 12 11	
	<hr/>	62,93,851 9 11
		<hr/>
		79,78,598 14 11
Debts—due on floating accts.	40,05,610 11 1	
Due on fixed accounts	7,75,889 5 2	
Due for Union Bank Notes in circulation	7,05,175 7 5	
Due on eight dividends accts	14,560 0 0	
Due on dividend account of July 1836	4,401 0 0	
	<hr/>	55,05,636 7 8
		<hr/>
		24,72,962 7 8
		<hr/>
		Co.'s Rs. 25,06,773 0 2
Shewing an subscription of 600 original shares	16,20,000 0 0	
And of 592 new or supplementary ditto	5,32,800 0 0	
	<hr/>	21,52,800 0 0
A profit (after deducting dividends paid) of		3,20,162 7 8
		<hr/>
		24,72,962 7 8



Cr.	July 1, 1836.	
By Balance of account rendered to 30th June 1836., being subscription on 600 shares, at Co.'s Rupees 2,700 each . . . . .	16,20,000	0 0
On 592 New Shares, at Co. Rs. 900 each . . . . .	5,32,800	0 0
	<hr/>	21,52,800 0 0
Add amount of apparent profit to that date . . . . .	2,97,071	11 4
Less Dividend paid to Proprietors . . . . .	1,06,812	0 0
		<hr/>
		1,90,259 11 4
		<hr/>
		23,43,059 11 4
By discounts realized to this date . . . . .	67,379	0 1
Less appertaining to the half year ending 30th June 1837 . . . . .	6,932	0 1
		<hr/>
		60,447 0 0
By Interest realized to this date . . . . .	45,151	4 0
Add due on outstanding Loans . . . . .	28,227	7 9
Add due on cash credits . . . . .	22,842	8 7
Add due on Government 5 per cent paper . . . . .	6,174	15 10
Add due on Government 4 per cent paper . . . . .	8,564	0 8
Add due on overdue Bills . . . . .	7,682	1 2
	<hr/>	
	1,18,642	6 0
Less, paid on deposit accounts . . . . .	15,376	1 2
		<hr/>
		1 03,266 4 10
		<hr/>
		1,63,713 4 10

Calcutta, Union Bank, 31st Dec., 1836.

We request our military readers' particular attention to a Bombay General Order by Government, dated the 21st of December, announcing to the Army under that Presidency, that the Right Hon. the Governor in Council had recommended to the sanction of the Hon. Court of Directors, a Retiring Fund for the infantry (only) of that Presidency, and authorising Paymasters to receive forthwith, subscriptions and donations from the different ranks according to a graduated scale, which are to be held in deposit, pending the final orders of the Court.—We have been a good deal taken by surprise by this announcement. We are not aware that conditional sanction has been received by the Indian Governments to any project for retirement, which should take the place of Mr. Curmin's elaborate scheme, so unceremoniously kicked out by their Honours of Leadenhall Street. It seems strange too, that this Bombay project should be so partial as to include the infantry branch only; unless, indeed, this is to be accounted for by the circumstance, that their cavalry is too small a body (three

Co.'s Rs. 25,06,773 0 2

regiments only), while the artillery and engineers there—as here, and at Madras,—ascend in promotion each by one general list of its own, so that these corps can always form regimental societies complete and efficient for all purposes of purchase within themselves.—But is it not stranger still, that an announcement of this kind should make its appearance, first, at the least of our three Indian Presidencies? and that no allusion should appear, to any intermediate and conditional, approved by the Supreme Government? We had supposed, that the “intervention principle” was carried even to an extreme of rigour, in the relations between the chief and the subordinate Presidencies, under the new charter, and that the Governor General of India in Council was, in fact, as the breath of Madras and Bombay nostrils!—One thing, however, may be inferred from the silence of Sir Robert Grant on this tender point; and that is, that no subscriptions or donations are to be contributed from the Company's Treasury, to the meditated Retiring Fund. The orders from home, we believe, are pe-



remptory against the minor Governments incurring expense for any purpose whatsoever, beyond £1,000 sterling money, without previous leave had been obtained from Bengal.—The Bombay newspapers do not afford us any information regarding this embryo institution; but we suppose that a few days will draw them forth, when we shall, no doubt, better understand our ground.—At present, the probability seems that all this stir arises out of certain mischievous pranks which we have so often before condemned, when the high local military authorities thought fit for particular purposes to drag into what might truly have proved “pernicious publicity,” the operations of regimental stock-purses for buying out Majors. It is said that both the Bombay and the Supreme Govt. tried hard to get rid of the awkward and painful reference endeavoured to be forced upon their decision, and we apprehend that the present plan will turn out to be something arising out of that *imbroglio*, some boiling vinegar device for dissolving or smoothing down certain “Stoney-Stratford asperities,” whereof a Bombay wag was wont to rhyme, by means of a general plan for equalizing purchase of promotion in that particular branch of the establishment. If so, we should doubt the ultimate success of the plan, extending, as it appears, to the very highest grade; particularly if subscription and donation are to be voluntarily, and if the Bombay officers be not a more wonderful body for unanimity than even Mr. Puff’s stage friends, famed for surpassing in that quality. One advantage to the state attends the Bengal plan of quiet regimental purchasing clubs, and this advantage is totally lost by any organized and rigidly equalized system,—we mean the benefit of having occasionally a younger man or two pushed forward (by what may be called accidental, unexpected promotion) to high rank and command, before being stricken by the mortal disease of Sexagenarianism which keeps back the Co.’s General Officers as a body, and naturally throws honors and commands almost exclusively into the hands of H. M.’s officers.

On the evening of the 3d of January, Lord Auckland held his third scientific *Soirée*, at which were collected, as usual, the professors, the Savans, the scholars, the *attendants* of Calcutta. The tables presented some remarkable specimens alike of nature and of art.—On the one hand we had skeletons of adjutants ourang-outangs: on the other hand were fossils of the crocodile and the

hippopotamus. One of the most remarkable objects, was a wax model of the human brain, of the different portions of which Principal Bramley gave explanations. Here a model of a steamer with an apparatus fitted to ascertain and guard against accidents in exploring unknown waters, by means of feelers in front of the vessel; and there was every variety of salt from the mines of Pind Dadun Khan, or from the Sambre Lake. On one table were specimens of Mosaic matter from the Taj at Agra: on another collections of choice Medallions. We heard with infinite satisfaction, that a prospect exists at no very distant date, of a series of medals being designed and struck, illustrative of the more remarkable events of Indian history. There was also a superb microscope, in which animalculæ were magnified into every imaginable shape and size, and which looked, as usual, insufferably disgusting. And then, too, there was displayed that superblight, the wonderful discovery of Lieut. Drummond, caused by directing a stream of Oxygen gas upon a ball of lime. We had no notion of the astonishing vividness, the intense glare of this recent and singular discovery, until it burst on us in all its brilliancy. It is one of the most beautiful exhibitions we ever witnessed. To many present, the most interesting display of the evening was the rival silver cups, the gifts of Lord Auckland and Dwarkanauth Tagore, respectively, to the forthcoming races. The former the work of Pittar and Co. of Old Court, House-street; the latter of Hamilton and Co., and two more excellent specimens of Indian workmanship, we certainly never beheld. The latter was designed by a highly talented amateur gentleman artist; the former is the design of a lady, and it is indeed hard to say to which we can justly accord a preference. They are both excellent. The Tagore cup is the more oriental, the Auckland cup the more classical design. We shall essay a sketch of each. The body of the Auckland cup is large, massy and circular, of graceful form, and admirable proportion, the lower part ornamented with bold chasing, supported by a stem of foliage and chased shields for engravings on the plynth; surrounding the cup, is a group of a horse, mare and foal: the whole standing on a plain and simple plynth 16 inches wide. The cover is surmounted by a correct model of the Godolphin Arabian, standing in the position in which he is usually represented, while the handles of the cup are formed also by horses springing from massive



scrolls, and most spiritedly executed.—The Tagore cup is, as we have said, oriental. In form, it is an Etruscan bowl, of ample size, on which is engraved a spirited race, the winning horse pressing onwards, with the Calcutta race-stand in view.—the whole fringed with elegantly embossed leaf work, the bowl is supported by a date tree, of exceeding workmanship, and resting with its elegant pedestal on the backs of four horses, gilt, in order to relieve the effect, and around the base are two mares, their foals, and the clustering foliage of the vine. The whole stands on an embossed platform supported by horses' hoofs with gilded hooves. But if the body of the cup was approved, it was the cover that was so universally admired, for its unique character and very handsome oriental effect. It was surmounted by a full blown lotus, with leaves and bud true to nature,—the gilding of the pistil and stamina contrasting with the silver hue of the remainder, in exact accordance with the different hues presented by the flower in its natural state. We have said we hardly know which to admire most, the oriental imagery of the one or the classic elegance of the other. Both are of beautiful design, both are of excellent workmanship, and where excellencies are so nearly balanced, it is hard to say whether our taste or our gallantry would most influence our judgment in the verdict of "*place aux dames*."—*Hurkuru*, Jan 5.

*The Kidderpore Docks.*—The Kidderpore Docks were, on 30th December, knocked down at the Exchange for three lakhs and fifty-one thousand sicca rupees. The purchasers are a Company formed by the wealthy and highly respectable Parsee Merchant, Rustomjee Cowasjee, Esq. The Government had given orders to purchase these extensive concerns for three lakhs, for the purpose of obtaining a portion of the premises for a steamboat depot, as it is deemed desirable to remove the present one from the Export Warehouse. If the Company had been successful, that part of the ground which contains the docks and workshops, was to have been fenced off, and let out, of sold,—Lord Auckland having determined that the establishment of a dockyard would have been prejudicial to the Company's interests. His Lordship's order to purchase was merely with a view to procure ground for the iron steamers, which are to be doubled in number. Indeed, we are told, that a report just sent in to Government, is so favorable regard-

ing the present boats, that we should not be surprised to find the Court of Directors extend the order even beyond what is recommended by the Supreme Government.—It would appear from an article in the *Courier*, on this subject, that the Government in this instance have been bidding against themselves, with a view, we suppose, to enhance the value of the estate of the late Mr. Kyd, and thereby make some atonement for the neglect or "something more," which he sustained at their hands when alive. We cannot say that we consider this kind of *post mortem* compensation, redounds altogether to the prudence or justice of the Company, it is too much like the seven cities contending for the birth place of Homer, "through which the living Homer begged his bread." If the property be worth three hundred and fifty-one thousand rupees now, it must have been worth something like it during Mr. Kyd's life; a sum which the *Courier* assures us would have relieved him from his distresses, and which he would most willingly have received.

"Our Military readers will be glad to hear that the differences which subsisted between Brigadier General Stevenson and Brigadier Churchill (regarding which, however, there has been much ridiculous exaggeration in certain prints) have been completely settled by Sir H. Fane. All interference on the part of the officer commanding the Cawnpore division with the station of Cawnpore has been prohibited for the future."—Any person uninformed on the subject would suppose on reading the above extract from the *Englishman*, that the "difference settled" by his Excellency, referred exclusively to some interference on the part of the Brigadier General, with the Brigadier's station command; whereas the difference "completely settled by Sir H. Fane," had not the slightest connection with that subject. When Government issued their order some three or four months since, relative to cantonment lands, Brigadier Churchill followed it up by one of his own, desiring applications to be made to him by persons desirous of obtaining land. This order the Brigadier General dissolved him to rescind, the Brigadier refused, and the matter was ultimately sent to the Commander-in-chief, whose decision was, that the officer commanding the division had nothing to do with the station of Cawnpore as regarded the granting of land. The *Englishman* says, there "has been much ridiculous exaggeration in certain prints," respecting the differences which subsisted between Brigadier



Genl. Stevenson and Brigadier Churchill may be so—but we can tell him the official letter which *settled* the matter, was without exception, the most severe that has been sent to any officer in India for these many years back. It was a "settler," and nothing but a 'settler,' but had nothing to do with the one solitary instance in which the Brigadier was in the right, which the *Englishman* would now bring forward as though it had been the subject of the late differences. One of the *stories* regarding these *differences* is too good not to be told. *On dit*, that in the official representation, the Brigadier criticised the Brigadier General's movements for the grand day, with no very sparing hand; pointed out faults innumerable, they were incomprehensible—anything but what they ought to be;—unluckily for him, the movements had been arranged, and the Brigadier General ordered to practice them, by his Excellency the Commander-in-Chief.

*Coal and Iron Committee.*—It is with peculiar satisfaction we learn that Lord Auckland has appointed a committee of scientific gentlemen to examine the various localities of coal and iron in the country, with the view of developing the mineral resources of the empire.—This enlightened course of policy is worthy of a great government, anxious for the welfare and advancement of the community entrusted to their charge, and will, we are sure, be crowned with gratifying success. When a Government enters heart and soul upon a career of improvement, it is singular to observe how the work of benevolence appears to grow; how new wants arise, and at the same time new facilities are unexpectedly opened for the supply of them. Lord William Bentinck gave us the benefit of river steamers. The success of the enterprise has been unprecedented. At the present moment four vessels in active employment between Calcutta and Allahabad cannot receive and convey half the traffic which is crowded into them. No sooner is a vessel advertized to start from Calcutta than she is full; more than half the applicants for freight are disappointed. It is already found that double the present number of steamers must be added to this line of communication to keep pace with the wants of the country. The multiplication of steamers brings into prominent view our present resources for the supply of coal, and it is discovered to be impossible to depend on the single source from whence it is now drawn, for an article which has attained

a national importance; and hence the appointment of a committee, to ascertain what mines may be worked in other places with advantage. The discoveries which are expected from the committee will not only serve to keep down the price in the metropolis, but will furnish this important article at a more reasonable rate on the line of communication. The cheapening of this great element of steam navigation will again lead to a reduction in the charge for freight, and this will bring on a demand for more steamers, till at length the internal carrying of these provinces, is conducted, perhaps, exclusively, on the modern system of steam navigation. The search for coal leads in its turn to an enquiry for iron, and to the means by which these two most precious minerals in this golden age of iron may be brought to contribute to the improvement of the country, and to render us in a measure independent of machinery from England. Thus, link by link, the chain of improvement of India advances to its completion. We ventured a fortnight ago to suggest the vast advantages which would necessarily follow from the establishment of a railroad between Rajmahal and Calcutta. The appointment of the coal and iron committee gives it new impulse to the project, and brings its accomplishment within a nearer range. To such an enterprise the first, perhaps the only, impediment, is the large sum it will necessarily cost. The iron must be imported from England. In consequence of the amazing demand for iron arising out of the numberless schemes for intersecting the little island in every direction with rail roads, the price of the article has been nearly doubled. The cost to us of an imported rail-way will, therefore, be greatly enhanced. But we may anticipate from the labours of the committee now appointed, such accurate information as shall lead to the establishment of forges in India to work our own indigenous minerals. In this case the cost of the rail-way we have proposed, would possibly be diminished one half. Perhaps a rail-road, upon a broad estimate might with these advantages, be laid down between Rajmahal and Calcutta, for £100,000. Cannot the community undertake such an enterprise? Might not Government employ their scientific officers to survey the line, and form an estimate of the practicability and the expense of such a road; and if it be feasible, charter a Company for this object, and as in the case of the Bank of Bengal, take a certain number of shares.



themselves? We will venture to affirm that if the enterprise were ushered into notice under such auspices, the whole sum required for it would be raised by the community here and in England without the smallest difficulty. It might, however, be provided, that the shares belonging to the State should be disposed of by public auction, at a certain period after the road had been opened; and the funds thus liberated, might then be devoted for a time to some new enterprise. Thus Government by keeping a hundred thousand pounds, constantly atfloat in such undertakings, might stimulate the employment of five times that amount of capital on the part of the community.

It was rumoured about town that the much-talked-of order for incorporating the four regiments of Madras Cavalry with that branch of the Bengal Establishment had arrived. We have not been able to gather any of the particulars of the proposed arrangement, but shall be anxious to learn how many of the details which appear to require very careful consideration, are to be managed. We allude more especially to the allowances and to the conditions and usages of either service, in as far as the native Officers and soldiers are concerned. The Madras Cavalry, we believe, are better paid than the corresponding native ranks in Bengal, and it would be out of the question to reduce the transferred men to the Bengal rates of pay; for tampering with military allowances is a very dangerous thing, except, indeed, in the case of European officers in India. Almost equally awkward would it be to have two bodies of troops of the same Arm, performing exactly the same service, at the same station, but receiving very different rates of recompense. Unless some plan be adopted for *seconding* a large proportion of the natives of the four junior regiments upon the remaining corps as supernumeraries, in addition to a large and liberal quantum of weeding out and pensioning off, we do not see how the inconveniences to which we have alluded can be avoided. Future recruiting to fill up, will be easy enough.—With regard to the European Officers, we presume that the difficulties which also occur, in that branch of this transfer question, may be more summarily disposed of; although not without giving room for many individual complaints of supercession and of brilliant command prospects deferred.—It is assumed that the four junior regts will be those transferred; viz. the 5th, 6th, 7th, and 8th. Their own Majors, of course, go with them, and along with

those Majors, will naturally go their *corresponding* Lieutenant-Colonels and Colonels, according to the system of promotion in the Hon. Company's service.

*Assam Tea.*—[Extract from a private Letter.]—Sadiya, Dec. 21, 1836.—Mr. Bruce has made five boxes of tea, a specimen of which we found to be of very good quality. The question may now be considered as settled, that tea can be raised here.

*Mr. Previte's Ceylon Moss.*—[From the India Journal of Med. and Phyl. Science for December.]—It was some time ago brought to the notice of the readers of this Journal that the Ceylon Moss would be of great value in the sick chamber, in cases wherein jelly is prescribed. We have now the satisfaction of stating that it has been tried by most of the practitioners at the Presidency, and the expectations regarding its value, as an article in sick diet, found invaluable.—We should here mention that the public are indebted to Mr. Previte for bringing the value of Ceylon Moss to notice. When that gentleman was at Ceylon in 1823, he found the Natives in the habit of dissolving and making it into a species of glue or size, it then occurred to him that it would probably make an excellent jelly for table use, on trial he was not disappointed, and from that period he has been in the habit of using it for that purpose. As Mr. Previte is about to return to Europe, we take this opportunity of stating that the public have been indebted to his ingenuity and zeal in preparing pulverized milk, bread, and other important articles of diet for invalids proceeding on long voyages.

*External Application of Cocoa-nut Oil as a Cure for Cholera.*—Mr. Tweedie of Hazrapore, Jessore, has communicated to the Medical Board a mode by which he says, he has cured cholera. It is simply that of having the whole of the patient's body thoroughly rubbed with cocoa-nut oil for at least half an hour, and afterwards, to be well covered with warm clothing, the result of which treatment was a profuse perspiration and immediate relief.

We have incidentally heard that the Criminal Code is at length complete, and will shortly be presented to Government, after which it will require to be submitted for their sanction to the home authorities, and at the same time to be translated into the languages of the country, that the judgment of the most enlightened Natives may be obtained in regard to laws which are to bind them and their posterity. We can scarcely



expect, therefore, that it will be brought into actual operation much before the beginning of 1839.—*Friend of India*, Jan. 12.

**Boring for Water.**—The Artesan experiment in Fort William is still going forward, and we learn that the tubes are now sunk to the depth of 320 feet, and that more must soon be required to prosecute the work. As if nothing of the kind could be made in this country, more tubes have been ordered from England. We have, however, been informed that they are procurable both at Bombay and Madras; if so, is it not extremely absurd to send to England for them, especially where the price of iron is double what it was a year or two ago? Perhaps, it may be thought a small matter in which to exercise economy, and to pay for a thing in England two or three times the price at which it can be procured in this country, is admirable policy. We hope, however, soon to hear a different doctrine inculcated, and to see the operations of individual enterprise, in the opening of mines of iron ore, and foundries established adequate to supply the increasing demand for the manufacture of cast-iron. Such works may be carried on cheaply and efficiently here, and we see no reason why sources of wealth and industry should remain unopened in India, and we be for ever dependent on England for many articles of daily use, which, for want of a little enterprise, cannot now be supplied on the spot.—*Oriental Obs.*, Jan. 14.

We are sorry that the Bengal year should conclude with the Calcutta job, a thing hated of gods and men—for those who profit by jobs are neither gods nor men—a job of the first magnitude. There is a phrase in law applicable to clerical compromises, which, when they are flagrantly unfair, are stigmatized with the term “a rank modus.” A rank job is the appointment for the Shfevalty which has just taken place. A man who is assignee to half the insolvent estates in Calcutta—a man who may say with Chao, an arch old, “ruin and spoil and havoc are my gain”—who fattens and enlarges his shadow on the calamities of the merchant; on whose shipwrecked fortunes, like the old wreckers of the shores of Cornwall, he grows rich; this man, with an almost unlimited power of issuing writs, as assignee, is now endowed with an unbounded authority to execute them. It is vain to disguise it: the thing is a job. The “*Englishman*” attempts to palliate this appointment, by

telling his readers that any other man, who may be made Sheriff, has equally a power to sue out process; but he fails to add, that any other man must do so at his own expense; but an assignee can do so at the expense of the estate; which, we imagine, is altogether another affair. We do not name the party appointed, because we aim not at him, but the job; we do not anticipate that he will abuse his function, we only charge them who have appointed him, with having abused theirs. The thing is indefensible: the appointment should be rescinded.

The race stand and its neighbourhood on 11th Jan., presented a very gay and crowded appearance, and a finer morning there could not have been—to see the race for the Auckland Cup. His Lordship and Miss Eden were sitting in a carriage drawn up close to the stand. Six horses started for the cup, the winner being Mr. Grey's Hoomayoon; the fine animal had scarcely past the winning post, when he dropped down dead. The reported cause of the accident was the bursting of a blood-vessel. Of the two other races, the first was won by Mr. Dale's Rolla, the second by —.

The annual Meeting of the Agricultural Society took place on 11th January. The Secretary read his report of the past year's proceedings, by which it appeared that the Society was increasing rapidly in numbers and in usefulness, and that its finances also were very much improved. Sixty-nine new members have been associated during the year, being 14 more than the new members obtained in 1835, and only four have withdrawn their names—all persons who have left the country. The invested funds which a year ago amounted to 11,000 Rs., now amount to 14,000 Rs.—Dr. Wallich, in moving that the Report be adopted, moved the thanks of the Society to their Secretary, Mr. Bell, to whose zeal and good management the very prosperous state and increasing popularity of the institution was mainly owing. Dr. Wallich also drew the attention of the meeting to an offer of Dr. Helfer which was readily accepted, to assist the views of the Society by procuring and distributing seeds and information, while he be employed in the Arracan and Maserim provinces, for which he is out to proceed in a few days.—A Minute by Mr. Walters was read, having reference to the proposition he made at the last meeting, for the general establishment of branch societies in all the zillahs. The paper very clearly pointed out the advantages of a widely extended



system of experiment and observation, as compared with the results to be expected from a few scattered branch societies as at present constituted.

*The Law Commission.*—The departure of Mr. Cameron has, we understand, induced certain changes in the constitution of the Law Commission.—Mr. Millet, the Secretary to the Commission, will, we hear, take the place of the absent member, and the duties of Secretary will be performed by Mr. J. P. Grant. These arrangements remedy one defect, yet do not provide against the creation of another by the unavoidable absence of Mr. Cameron. The Commission appointed to legislate for all British India, does not include, among its members, any individual qualified by experience to advise as to the most important portion of our Eastern empire, the Bengal and Agra Presidencies,—a glaring error in its constitution, which Mr. Millet's appointment will at last rectify. But then the very cause that leads to the application of the remedy, creates as great an evil as the above, by depriving the ill-fated legislative machine of its one practical English lawyer. The Commission was originally defectively composed, and continues to be so still. Its operations have been hitherto vague, misdirected, idle, unenergetic; and so,—unless we be very indifferently endowed with the powers of prophecy which a modicum of common sense inspires—so will they be until the Commission undergo radical change.

*Mr Taylor.—the Dead come to Life.*—For some days past it has been reported in Calcutta, that recent letters received from London, mentioned that Mr. James Taylor, whose supposed tragic fate on a journey overland near Bagdad, was the theme of many a paragraph several years ago, had presented himself in London. Upon enquiry, we learn that Captain Beach of the "True Briton," which lately sailed on her return voyage to England, stated to several persons here, that shortly before he left London, he met Mr. Taylor in the street, who explained to him that he had been a long time in captivity with the Arabs of the desert, and had finally got out of their hands by ransom, but how and by whom this was effected we are not informed.—*Calcutta Courier*, Dec. 24.

*Disturbances at Chittagong.*—We regret to learn, that the prosecution of the resumption claims on behalf of the Government, has occasioned some serious disturbances, and some loss of life at Chittagong. It appears that the Com-

pany's surveyors were sent to measure out the boundaries of some land previous to any investigation respecting the nature of the tenure under which it was held. Resistance was offered by the Zemindar in possession of the lands, and it was deemed expedient to call in the assistance of the military, who fired among the people assembled, three of whom were killed. The resistance, however, manifested by the people, was of so formidable a character, that it was considered advisable to send for further reinforcements of military. This is the outline of the occurrence, the details of which have not yet reached us; but it is one of those events which are most calculated to raise melancholy anticipations. It is always a most lamentable circumstance, when the arms of the soldier are lifted against the citizen; but to call in the aid of the military to enforce the solemn award of a Court of Justice, is to employ the arms of the soldier to the most deplorable of all uses. If the award of Courts of Justice are resisted, it raises a strong presumption that public opinion is against its decisions; and if that opinion be general and the feeling respecting the question be strong, it will give rise, as in Ireland, to a constant and virulent state of hostility between the law and the law's administrator, and what will then be considered the law's victim.—*Bengal Herald*, Jan. 8.

*Supreme Court.*—On the first day of term, the 7th inst., the Chief Justice announced that, with the concurrence of Government, it was ordered that from the 1st inst. the fees and rewards to the officers of the Court were to be paid in Company's rupees, and that, in all the Offices in Court, except those of the Sworn Clerk, Clerk of the Papers, Examiner in Equity, the Interpreters of the Court, Chief Clerk of the Insolvent Court, and Examiners of the same, the folio sheet shall consist of 90 words, seven figures making one word, and the charge of all writing per folio be reduced to five annas per folio of 90 words.—*Oriental Obs.* Jan. 7.

*The Agra Ukbar*, Dec. 31.—The Commander in-chief and Staff arrived on the 29th inst. his Excellency held a levy on the afternoon of the succeeding day. The troops of the station under command of Brigadier Cartwright, were this morning paraded for Review in Brigade before his Excellency, drawn up in a line of contiguous columns at quarter distance; in the following order from the right—European regt., 57th N. I., 36th N. I., 47th N. I., and 62d N. I.,



The Artillery in two batteries, one on each flank of the Infantry.—(We omit the details—Ed. C. C.)—His Excellency expressed himself satisfied with the exception of the first deployment, which being done all at the double, for a whole Brigade, could not well be otherwise than bad. His Excellency's departure is fixed for the morning of the 4th of January, when he proceeds to Merhatur, and the following morning marches to Futtehpore Secree. He then proceeds to Bhurutpore, Deeg, and Muttra.

*The Indigo Crop.*—The following is an estimate by Messrs. Blanchard and Baily, brokers, of the crop of 1835-36.

Zillahs.	M. ls.
Delhee and Meerut . . . . .	1,050
Bareilly and Agra . . . . .	385
Futtehghur and Furruckabad . . . . .	5,661
Cawnpore . . . . .	30
Allahabad . . . . .	1,598
Mirzapore . . . . .	1,045
Juanpore . . . . .	1,048
Benares . . . . .	680
Ghazee-pore . . . . .	3,020
Goruckpore and Chuprah . . . . .	1,132
Dinapore and Patna . . . . .	57
Shahabad and Arrah . . . . .	1,075
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Western provinces . . . . .	17,091
Tirhoot . . . . .	23,918
Purneah . . . . .	6,295
Dinapore and Rungpore . . . . .	4,052
Malda, Pubna, and Bauleah . . . . .	2,015
Bhaugulpore . . . . .	2,711
Monghyr . . . . .	475
Moorshedabad . . . . .	6,348
Rajahshahye and Nattore . . . . .	4,831
Birbhoom, Burdwan and Bancoorah . . . . .	5,560
Midnapore . . . . .	185
Cuttack . . . . .	64
Nudeah . . . . .	13,138
Kishnaghur . . . . .	7,924
Hooghly . . . . .	1,300
24 Pergunnahs and Baraset . . . . .	185
Jessore and Furreedpore . . . . .	13,249
Dacca . . . . .	4,001
Mymunsingh . . . . .	1,528
Unknown . . . . .	120
Unreported produce . . . . .	
Total	1,14,800

Proportion of Native produce in the above . . . . . 7,091

We understand that the Bengal Bank Directors have determined, that the opportunity which now exists to employ all their capital advantageously in India, renders it inexpedient to embark any of it in exchange operations with England.

*Mr. Mordaunt Ricketts.*—Our readers are, perhaps, aware, that Mr. Mordaunt Ricketts, formerly Resident at Lucknow, has made a strong appeal against the decision of the Court of Directors, which deprived him of his pension.—We consider that the conduct of the Court in this instance is, altogether, at variance with the principle of English Constitutional Law, which, in all cases, requires conviction of misconduct or crime to precede punishment.—In his defence Mr. Ricketts quotes, from the Regulations, certain forms of investigations, which are strictly enjoined by them in cases similar to his and complains, that he has been deprived of his pension without even an enquiry being instituted, or any proof of his misconduct being adduced.—Although we are inclined to believe from the *ex parte* statements which we have read, that Mr. Ricketts would not derive much benefit from a strict investigation of all his pecuniary transactions when Resident at the Lucknow Court, yet, we consider that in justice to the service to which Mr. Ricketts belonged, and in justice to themselves, as well as in justice to the individual, the Court of Directors ought to have invited Mr. Ricketts to return to India for the purpose of defending himself against the charge brought forward; in the event of his refusing to obey their invitation, they ought to have directed a proper Commission to institute an inquiry, and collect evidence of his guilt, and when that was established to their satisfaction, they might have deprived him of his pension—this would at any rate, have been a fair and open proceeding, and obviated the possibility of their being charged with injustice.—Without reference to the guilt or innocence of Mr. Ricketts, the conduct of the Court of Directors in this instance, must cause great uneasiness and alarm. If a public servant can be deprived of his pension, for supposed misconduct, by an arbitrary *sic rata* decision of the Court of Directors, it is evident, that they need employ no other means for keeping down their pension establishment? they may suppose corruption, amongst their retired servants as often as they find the payment of their pensions inconvenient or inexpedient. That the Court are not particularly jealous of their character for maintaining public faith with their servants, has, unfortunately, been too often proved. The retiring allowances have hitherto been deemed sacred; any tampering with them ought to rouse the attention of every covenanted servant;



if the principle or rather the right is admitted on the part of the Honorable Court no one will be safe. The ideas of the Court, on subjects connected with public faith, are so very contrary to all that is right, just or reasonable, that no dependence can be placed upon their conduct.—If the allowances and receipts of their servants, when employed must remain subject to the caprice of the Court, the retiring pensions, at least, should be beyond their control. All public servants ought to unite in framing a memorial, against so very dangerous a precedent, and urge upon the British Legislature the necessity for affording them some protection against the despotic caprice of the Court of Directors. The memorial should particularly set forth, that there was no desire amongst the public servants, in India, to screen Mr. Ricketts, but, that the memorialists object to the principle of depriving any individual of his pension without full proof of his misconduct.—We recommend this subject to the attention of the very able and indefatigable correspondent of the Englishman 'Fiat Justitia.'—*Delhi Gaz.*

**CIVIL APPOINTMENTS.**—Nov. 15, Mr H. Walters to be a temporary Member of the Sudder Board of Revenue—21, Asst Surgeon R. Christie, who was temporarily attached to Nepaul Residency has been placed at the disposal of Commander-in-chief—Lieut. G. Gordon 50th regt has been appointed to the command of the Resident's escort at Caimandhoo, vice Robinson to Europe—Mr J. Lewis to be Commr of Revenue and Circuit of 14th or Moorshedabad division vice Walters promoted—Mr E. M. Gordon to be Commr of Revenue and Circuit of 15th or Dacca division and Special Commission under Reg. 3 of 1828, for the district of Sylhet, vice Lewis—Mr F. Cardew to officiate until further orders as joint Magistrate and deputy Collector of Monghyr—Mr A. Grote has been authorised to exercise the full powers of a Magistrate in zillah Hooghly during the intended tour of the Officiating Magist. through the interior of that district—25, Mr H. S. Lane to act for Mr T. P. Marten as Salt Agent at Tumlook during his absence to the Cape—Asst Surgeon J. Wood to perform the medical duties of the civil station of Malda during the absence of Asst Surgeon J. Lamb—Dec. 6, Mr W. M. Dirom to officiate as Magist. and Collector of Rajeshahye—17, Mr F. E. Reid to officiate until further orders as joint Magistrate and deputy Collector of Buggoora—Mr W. T. Trotter to offi-

ciate as Magistrate and Collector of Purnea—19, Mr T. Holroyd to be Sheriff of Calcutta—21, Mr M. A. G. Shawe, having passed an examination on 13th Dec. and being reported qualified for the public service by proficiency in the Native Languages the order issued on 5th Oct. last for that gentleman's return to England is cancelled—Mr T. Young is reported qualified for the public service by proficiency in the Native Languages—22, Mr J. T. Mellis to officiate until further orders as joint Magistrate and deputy Collector of Burdwan, vice G. Adams whose appointment has not taken place—Mr M. A. G. Shawe to be an Asst under the Commissioner of Revenue and Circuit of 14th or Moorshedabad division—27, Mr C. Harding to officiate until further orders as Special Commissioner under Regulation 3 of 1828, for the div. of Calcutta—Mr T. H. Maddock to be Special Commissioner under Regulation 3 of 1828, for the division of Moorshedabad in the room of Mr Tucker—Mr J. W. Templer to officiate until further orders as civil and session Judge of the district of Saran—Mr T. R. Davidson to be Commr of revenue and circuit of the 11th or Patna division, vice Mr Maddock—Mr John Hawkins to be additional Judge of Patna, in addition to his duties as session Judge, for the trial of all commitments by Captains Ramsay and Lewis—Mr C. Garstin to officiate till further orders as civil and session Judge of Jessore—Mr J. A. O. Farquharson has been authorised to conduct the current duties of the office of civil and session Judge of Purnea during the absence of Mr W. A. Pringle instead of Mr Mackintosh—Mr T. Young to be an Asst under the Commr of revenue and circuit of the 16th or Chittagong division—Asst Surgeon W. A. Green to perform the medical duties of the civil station of Howrah, vice Mr J. Jackson—Mr M. F. Muir reported qualified in the Native Languages for the Public Service is assigned to the North Western Provinces—Jan. 2, Mr F. Millett is appointed to officiate as a member of the Indian law commission during the absence of Mr C. H. Cameron or until further orders—Mr J. P. Grant is appointed to officiate as Secretary to the Indian law commission, in the room of Mr Millett or until further orders—Mr F. B. Gubbins has been permitted to proceed to Rohtac, and prosecute his study of the oriental languages at that station—9, Captain Hawkins 38th N I, has been appointed to the temporary duty of attending the Rajah of Bikanier on his present tour.



**CIVIL APPOINTMENTS BY THE GOVT OF AGRA.**—Dec. 12, Mr R. H. P. Clarke to officiate as magistrate and collector of Subeswan. Mr Clarke has been desired to make over charge of his present office of officiating magistrate of Banda to Mr S. Bowring, who will continue in charge till relieved by Mr. H. W. Deane—Mr H. W. Deane to officiate as magistrate as well as collector of Banda—16, Mr W. H. Woodcock to be joint magistrate and deputy collector of Mirzapore, and to continue to officiate as magistrate till further orders—Mr E. F. Tyler to be joint magistrate and deputy collector of Muttra—22, Mr T. P. Woodcock to officiate as joint magistrate and deputy collector of Mirzapore, until Mr W. H. Woodcock be relieved of the offices of magistrate and collector by Mr Truscott—Mr W. P. Masson to officiate as joint magistrate and deputy collector of Futtehpore—Mr N. H. E. Prowett to officiate as deputy collector for the investigation of claims to exemption from the payment of the Land Revenue in the 3d or Bareilly division.

**ECCLESIASTICAL APPOINTMENTS.**—Dec. 7, Rev. C. Wimberly to officiate as District Chaplain at Barrackpore, and Chaplain to the Governor Genl, the appointment to be made permanent on the departure of the Rev. Dr. Parish to Europe—Rev. A. Hammond to officiate as Chaplain of the Old Church on the departure of Rev. R. B. Boyes to Cape.

**GENERAL ORDERS.**

Legislative Department, Nov 21st, 1836.—The following extract from the proceedings of the Right Hon. the Governor-General of India in Council in the Legislative Department, under date the 21st November, 1836, is published for general information:—Read the clauses, 3d, 4th, 5th, and 6th, of an Act of Parliament, 6th and 7th William IV., cap. 26, relative to Foreign Sugar not to be imported into certain British Possessions.—Resolved, that the following draft of an Act for carrying into effect the provisions of the clauses now read, be published for general information.—Draft of Act No — of 1836:—I. It is hereby enacted, that if any person, after the 1st day of December, 1836, lands, or attempts to land, in any part of the Territories subject to the Government of the Presidency of Fort William in Bengal any sugar which is not the growth of a British Possession into which foreign sugar cannot be legally imported, such sugar shall be seized and confiscated by the Collector of the Customs or by any other officer thereunto authorized by the

Governor of the said Presidency, unless the district in which such sugar is landed or in which an attempt has been made to land such sugar, be a district in which the Governor-General of India in Council has authorised the importation of such sugar.—II And it is hereby enacted, that if any person being in possession of sugar, the produce of the said territories, desires to obtain a certificate of origin from the Collector or Assistant Collector of the Land or Custom Revenue of any district within the said Territories, or from any other officer appointed by the Governor-General of India in Council to give such certificates, such person shall, in the presence of the officer from whom he desires to obtain such certificate, make and subscribe a Declaration in the form contained in the Schedule hereunto annexed, marked A.—III. And it is hereby enacted, that if the district be one into which the Governor-General of India in Council has not by any order authorized the importation of foreign sugar or of sugar the growth of any British Possession into which foreign sugar can be legally imported, the officer before whom such a Declaration as is aforesaid shall have been made, shall grant under his hand and seal, to the Declarant, a certificate in the form contained in the Schedule hereunto annexed, marked B.—IV. And it is hereby enacted, that every person who intends to ship sugar from any place within the said Territories for any part of the United Kingdom, shall be entitled to produce to the Collector of Customs at that place, or to any other officer who may have been appointed by the Governor-General of India in Council to act on such occasions in place of the Collector of Customs, a certificate such as is above described, and also in the presence of the officer to whom he has so produced such certificate to make and subscribe a declaration in the form contained in the Schedule hereunto annexed, marked C.—V. And it is hereby enacted, that the officer to whom such a certificate shall have been so produced, and before whom a declaration in the last mentioned form shall have been so made and subscribed, shall grant to the person who has made the last mentioned declaration a certificate in the form contained in the Schedule hereunto annexed marked D.—VI. And it is hereby enacted, that any person who shall, in making any declaration under the authority of this Act, knowingly affirm an untruth, shall, on conviction thereof, be punished by fine to an amount not exceeding five thousand rupees, and



imprisonment for a term not exceeding two years.

**Schedules.**—(A)—I, A. B., solemnly declare that all the sugar hereinunder described, is, to the best of my knowledge and belief, the produce of this district of ——. [Description of the Sugar to follow.]

(B)—I, C. D., Collector of Land Revenue (or Collector of Custom Revenue, or being an officer appointed by the Governor-General of India in Council to act in this behalf) for this district of —, do hereby, in conformity with the provisions of Act — of 1836, grant this Certificate under my hand and seal, that the Sugar hereinunder described, is of the produce of this district of —, and that the importation of Foreign Sugar, and of Sugar the growth of any British Possessions, into which Foreign Sugar can be legally imported, is prohibited in the said district of —. [Description of the Sugar to follow.]

(C)—I, E. F., Shipper of the Sugar hereinunder described, solemnly declare that all the Sugar hereinunder described, is, to the best of my knowledge and belief, the same Sugar to which the Certificate now produced by me relates. [Description of the Sugar to follow.]

(D)—I, G. H., Collector of Customs (or being an officer appointed by the Governor-General of India in Council to act in this behalf) for the port of —, certify under my hand and seal, that there has been produced to me by E. F., the Shipper of the Sugar hereinunder described, a Certificate under the hand and seal of C. D., Collector of Land Revenue, (or Collector of Custom Revenue, or being an officer appointed by the Governor-General of India in Council to act in this behalf) for the district of —, in the Territories subject to the Government of Fort William, in Bengal, which Certificate certifies that the said Sugar is the produce of the said district, and that the importation of Foreign Sugar, or Sugar the growth of any British Possession into which Foreign Sugar can be legally imported, is prohibited in the said district.—[Description of the Sugar to follow.]

Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India, after the 26th day of Nov.

Legislative Department, 19th Dec., 1836.—The following Draft of a proposed Act was read in Council for the first time on the 19th of Dec. 1836.—Act No. — of 1837.—It is hereby enacted, that from the — day of —, it shall be lawful

for any one Justice of the Peace for the Town of Calcutta, to issue a Warrant of Distress for the recovery of arrears of Assessment occurring under the Act of Parliament 33 George III., cap. 52, and every such Warrant shall have the same force as if it were under the hands and seals of two such Justices.—Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 31st day of January next.

Legislative Department, 19th Dec., 1836.—Resolved, that the following Draft of an Act for consolidating the existing Law relating to the Tolls of the Bhore Ghaut, in the Presidency of Bombay, and for fixing the amount of the said Tolls in Company's Currency, be published for general information.—Act No. — of 1837:—I. It is hereby enacted, that from the — day of —, Reg. IX. of 1830, and Reg. XI. of 1831, of the Bombay Code, and Act XVIII. of 1836, of the Governor-General of India in Council, be repealed.—II. And it is hereby enacted, that the following rates of Toll shall, from the said day, be levied in the Company's Currency at the Toll Gate of the Bhore Ghaut on vehicles and animals both in going and returning:—

On every four-wheeled Carriage on springs . . . . .	1 Rupee.
On every two-wheeled Carriage on springs, except Native Hackeries . . . .	$\frac{1}{2}$ Rupee.
On every Native Hackery on springs . . . . .	2 Annas.
On every labor Cart and labor Hackery not on springs, and having wheels of less diameter than three feet six inches, and tyers less in breadth than three inches, if drawn by two bullocks . . . . .	$\frac{1}{2}$ Rupee.
On every such labor Cart and labor Hackery, drawn by four bullocks . . . .	1 Rupee.
On every labor Cart and labor Hackery not on springs, and not having wheels of less diameter than three feet six inches, and tyers less in breadth than three inches, if drawn by two bullocks . . . . .	$\frac{1}{2}$ Ann.
On every such labor Cart and labor Hackery drawn by four bullocks . . . .	3 Annas.
On every Elephant . . . .	$\frac{1}{2}$ Rupee.
On every Camel . . . . .	$\frac{1}{2}$ Rupee.



On every Saddle Horse and  
Harness Horse . . . . 1 Anna.  
On every Tatloo . . . . 6 Pie.  
On every score of Sheep or  
Goats . . . . . 2 Annas.  
On horned Cattle per head, . . 2 Pie.  
On every Beggary carry-  
ing a load for hire . . . 2 Pie.  
On every Mule not used for  
riding . . . . . 3 Pie.  
On every Mule used for  
riding . . . . . 1 Anna.  
On every Ass . . . . . 1 Pie  
On every Palna or small  
Native Palanquin . . . . ½ Rupee.  
—III. And it is hereby enacted, that it  
shall be competent to the Governor in  
Council of Bombay, to appoint persons  
for the collection of the Tolls aforesaid,  
which persons shall, in the execution of  
such their office, be liable to the same  
responsibility which would attach to  
them if they were employed in the col-  
lection of the Land Revenue.—IV. And  
it is hereby enacted, that it shall be law-  
ful for the persons employed in the  
collection of the Tolls aforesaid, in case  
of non-payment of the Toll on any prop-  
erty, to stop such property, or such part  
thereof, as may be adequate to the dis-  
charge of the Toll due, and that every  
Police Officer, when thereunto required,  
shall be assisting to the persons employed  
in the collection of the tolls aforesaid in  
the discharge of their duties.—V. And it  
is hereby enacted, that in case any Toll  
due shall remain unpaid for the space of  
24 hours after such detention of property  
as is aforesaid, it shall be lawful for such  
person as the Gov. in Council of Bombay  
shall appoint to act in that behalf, to direct  
the sale of the property detained, and to  
reserve out of the proceeds of such sale a  
sum equivalent to the Toll due, and  
also in cases in which it shall appear, to  
that person that the payment of the Toll  
has been contumaciously refused, to  
reserve a fine not exceeding five rupees;  
and that the surplus, if any, shall be re-  
paid to the owners of the property on  
application.—VI. Provided always, that  
nothing herein contained shall be taken  
to deprive the owner of any property, de-  
tained as aforesaid, of his right of action in  
the Civil Court of the Zillah for any injury  
which may have been done to him under  
color of carrying this Act into execution.  
—VII. Provided also, that nothing herein  
contained shall be held to prevent the  
Governor in Council of Bombay, from  
granting any exemption from payment  
of the said Tolls, or from granting a farm  
of the said Tolls.  
Judicial and Revenue Department,

Dec. 20, 1834.—Notification.—The peri-  
odical reports on the official characters,  
qualification, and conduct of all the  
commissioned officers of Government in the  
Judicial and Revenue department, called  
for under the resolutions of the Right  
Hon. the Governor General in Council,  
dated Jan. 28, 1834, having been dis-  
continued, under the orders of the Hon.  
the Court of Directors, by the resolutions  
of the right Hon. the Governor General  
of India in Council, dated the 27th of  
June last, and published in the *Gazette*  
of the 2d of July following, it has become  
necessary, under the orders of the Su-  
preme Government, cited as follows:—  
[“In obedience to the Hon. Court’s  
instructions, it will be publicly notified  
that those reports shall henceforth be  
discontinued; but I am, at the same  
time, directed to state that his Lordship  
in Council is strongly impressed with  
the expediency of adopting all methods  
short of the systematic personal Reports  
which have been interdicted by the  
court, for the purpose of bringing to no-  
tice the manner in which every public  
office is conducted, in order that officers  
distinguished by merit may be brought  
forward and promoted, and that suitable  
notice may be taken of the conduct of  
those who are negligent and incapable.—  
The Right Hon. the Governor of Fort  
William in Bengal requested, there-  
fore, in communication with the Lieut.  
Governor of the N. W. Provinces, to  
prescribe to controlling authorities in the  
several departments of Government, an  
improved system of reporting the results  
of administration, or to issue such other  
instructions as to his Lordship may seem  
best calculated to promote the object,  
contemplated by the system now dis-  
continued, namely, that the promotion of  
the service may be usefully and effec-  
tively distributed, and its discipline and  
spirit upheld.”]—to provide some meth-  
od that shall not be open to the objec-  
tions that have been urged against a  
system requiring superintending offi-  
cers to prepare, at stated intervals, an  
analysis of the official characters of all  
the officers under them; but that shall,  
nevertheless, be sufficiently effective for  
the objects which that system was orga-  
nized to obtain, and of which the im-  
portance has been fully admitted.—  
Those objects are, firstly, the carrying  
into effect the principle, which has been  
specially enjoined, of “enforcing re-  
sponsibility in all superior functionaries  
for the incapacity, or neglect, or wrongs  
committed by the civil servants under  
them, unless they are, as the cases may



admit, either redressed, or reported to Government." Secondly, the bringing to the knowledge of Government all instances of eminent merit and qualifications amongst its co-operating officers of all ranks; so that the Government may be enabled, generally, to reward merit, to stimulate exertion, and to secure to the public service for vacant offices the best qualifications available.—The following rules, in amendment of those already prescribed, for preparing Reports of the results of administration, have accordingly been proposed by the Right Honorable the Governor of Bengal, in communication with the Hon. the Lieut. Governor of the N. W. Provinces, and have been approved by the Right Hon. the Governor-General of India in Council—they are now promulgated for the information and guidance of all officers in the Judicial and Revenue Department subject to the orders of the Governor.—In hearing appeals from the Zillah Courts, every Judge of the Court of Sudder Dewanny Adawlut shall note, as each case proceeds, any points that may strike him as affecting materially the character of the Court below, and whenever, at the conclusion of an appeal, any Judge may be of opinion that the proceedings of such a Court have been either remarkably well or remarkably ill conducted, it shall be his duty to make a note thereon, for the consideration of the Court, collectively, at their English sitting. The Court will determine in what manner these notes may best be made available in the preparation of their Annual Report, for the expression of their collective opinion on the quality of the business performed by every Zillah Judge.—The Court of Sudder Dewanny Adawlut is hereby required to make a Special Report on the subject of any Zillah, in which they may be of opinion that the state of civil business is such as to make it desirable for the sake of the public interests, that measures should be immediately taken to remedy the evil. In cases of less importance, it shall be the duty of the Court to notice in their Annual Report any serious defect which they may believe to exist in the administration of civil justice in any district under their jurisdiction.—In addition to the number of cases decided by each Zillah Judge, the number of miscellaneous judicial orders passed by him, and the number of days employed in sessions business, which information is now given in the Annual Report of the Court of Sudder Dewanny Adawlut, that Report shall in future show

the number of Appeals, regular and special, lodged against such decisions and miscellaneous orders, the result of all the Appeals of a like nature from each Judge decided on during the course of each year and the number of days in which each Judge sat for the transaction of civil business.—Corresponding information, with respect to the proceedings of the several Session Judges, must be embodied in the annual reports submitted to Govt. by the Court of Sudder Nizamut Adawlut on the administration of criminal justice; and a corresponding method for laying the necessary information before that Court, collectively, must be adopted.—It shall be the duty of the several commissioners of circuit to report, in their half-yearly police returns, their opinions on the general efficiency of the police of each district under their superintendence, and on the manner in which the various business in this department has been performed by each of the officers among whom it is distributed. It will also be the duty of each commissioner, to notice prominently in these reports the extent to which the services of the assistants to the Magistrates and joint Magistrates in his division have been employed, and the consequences of such employment, in order that the application and abilities of the several officers in the junior grades of the service may be brought distinctly under the view of the Government.—It will be the duty of the Sudder Board of Revenue, immediately upon the close of every Bengal and Fuzili year, to submit to Government a statement of all outstanding arrears of revenue in every Bengal or Fuzili district, with a note of the proportion per cent, which such arrears may bear to the Jumma, in each case, and to remark, where necessary, in what degree the result is attributable to the conduct of the Collector or deputy Collector in each district. Until the completion of all resumption and settlement business, the annual division reports required from the Sudder Board of Revenue, shewing the business that has been done in those departments during the past year, and the plan of operations for the approaching cold season, will necessarily be continued. In these reports, as far as those particular duties are concerned, the Sudder Board of Revenue are hereby required to represent every case in which the conduct of the officers employed has been distinguished by zeal and discretion, or by the contrary faults; and to call upon the Commissioners and



Collectors under them, to furnish them with all statements of the allotment of work to their Assistants, and with all the other materials that may be necessary to enable them satisfactorily to perform the duty above required of them.—It is hereby declared that it is the duty of the Sudder Courts and Board, of the Commissioners, of the Collectors and Deputy Collectors, and of the Magistrates and Joint Magistrates, to report to their immediate Superior every case in which they may be of opinion that a covenanted officer, subordinate to them, is decidedly disqualified to discharge efficiently the duties entrusted to him; and it is hereby notified to all such functionaries that it is considered an essential part of their duty to make themselves acquainted with the manner in which their subordinate officers perform their duties; and that they themselves will be held responsible for any mischievous consequences that may result from any inefficiency, bad habits, or serious errors of conduct of those under them, that ought to have been known to them, unless they report the same for the information of their superiors.—In framing the rules which have been above prescribed, the Right Hon. the Governor of Bengal has discharged the duty committed to him, of improving, as far as possible the established system for the control of the civil administration; for ensuring to efficiency its just reward; and protecting the public interests from the consequences of incapacity or neglect.—But he cannot allow the opportunity of promulgating the rules, to pass, without making known to the Civil Service in these Provinces, the high satisfaction with which, since his arrival in India, he has observed the zeal, the justice, and the success, with which, with rare exceptions, they have applied themselves to the performance of their various and arduous functions. To their character and public spirit, more than to the operation of any formal system of supervision and control, he looks for a perseverance in the same meritorious exertions, and for a maintenance of the same careful regard, in their important and often delicate trusts, to public and to individual rights.

**MILITARY APPOINTMENTS, PROMOTIONS, CHANGES, &c., from 23d Nov. to 16th Jan.**—Ensign W. C. Erskine, 73d N I, to do duty with Assam I. I, for Ensign A. P. Phayre resigned.—The Services of Asst Surg J. Wood placed at disposal of the Gov. of Bengal, to take charge of the medical duties of the Civil

Station of Maldah during the absence of Asst Surg J. Lamb.—The Services of Asst Surg J. W. Knight, 51st N I, placed at the disposal of Lieut Gov. N. W. Provinces, with a view to the medical charge of Bijnour or North Moradabad.—Mr L. H. Hardyman, Cadet, promoted to Cornet, date unsettled.—Asst Surg J. M. Brander is appointed to the medical duties of the Indore residency.—Asst Surg T. W. Burt to the medical charge of the civil station of Chittagong, vice Asst Surg J. O'Dwyer.—Asst Surg R. W. Wrightson doing duty with the troops at Akyab to medical charge of that station in room of Dr. Waugh.—The Neemuch station order directing Surgeon A. Davidson, M D, 1st L C, to afford medical aid to the Artillery attached to the Meywar field force, confirmed.—The order by which Lieut W. Hore is to act as Adjt to 25th N I, during the absence of Lieut Kennedy, confirmed.—Surg D. Renton, 57th N I, to act as Super Surg at Benares during the absence of Super Surgeon Venour or till further orders.—Surg R. Brown, acting at Agra, to retain charge of records of Superintending Surgeon's Office, till relieved by Mr Ludlow, and to resume the medical duties of his regt.—Asst Surg A. Wood, M. Surgeon to the Commander-in-chief, to afford medical aid to the Cavalry and Infantry detachments of Sappers and Miners forming his Excellency's Escort.—The Mhow station order appointing Lieut J. Woodburn, 44th N. I, to act as Brigade Major to Malwah field force during the absence on leave of Brigade Major Cheape, confirmed.—Asst Surg R. Christie to be Garrison Asst Surg at Allahabad.—Capt J. Hay, 85th N I, to be Persian Interp to the Commander-in-chief.—Brevet Capt W. Freeth, 55th N I, to be Adjt of that regt, vice Jellicoe, promoted.—Veter. Surgeons J. B. Lowth and J. Willis to do duty; the former with 1st troop 2d brigade Horse Artillery at Dum Dum, and the latter with 5th regt I. C, at Cawnpore, confirmed.—The Cawnpore division order directing Asst Surg C. McKinnon, M D, 2d Brigadier Horse Artillery, to afford medical aid to the staff, &c., Establishments, during the absence of Asst Surg Lightfoot or till further orders, confirmed.—The Benares division order appointing Asst Surg J. Barber to the medical charge of the Art. div. practising, confirmed.—The Dinapore order appointing Lieutenant J. R. Younger, 56th N I, to act as dep Judge Advocate Genl at a General Court-martial, confirmed.—The Lucknow station order appointing Lieutenant J. C. Scott, 20th



L. I. to act as Station Staff, vice Lieut Bridge, 62d regt (on March), confirmed—Captain S. P. C. Humphrys, 36th regt N I, to act as Major of Brigade at Agra during absence on leave of Brigade Major May, or till further orders—The following division orders confirmed: Asst Surg. G. E. Christopher, 2d L C, to assume medical charge of the 80th regt N I, during the absence on leave of Surg. K. Macqueen, or till further orders—Surgeon J. Thomson, 2d L C, to afford medical aid to the 5th regt N I, till the arrival of Surgeon M. Poyvell—Asst Surg. W. Shirreff, 4th troop 2d brigade Horse Artillery, to relieve Surgeon C. Mottley, from medical charge of the recovered men from Landour, and to proceed with them to Cawnpore—Lieut J. G. Lawson, 2d L C, to the charge of the remount Horses from the Happer stud allotted to corps at stations to the westward, vice Cornet G. C. Crispin of the same regt—Lieut A. Cowpar, of the 59th N I, to act as Adj. to the left wing during its separation from the head-quarters of the regt—Lieut G. C. Armstrong, 47th regt N I, to be 2d in command to the Ramgurni L I batt, vice Captain Turner, who has been permitted to resign that situation—Cornet E. Harvey, 10th L C, permitted to resign the command of the detachment of the 5th local horse serving with Ramgurni L I, to which he was nominated in general orders of the 25th Oct.—Lieut G. B. Tremenhare permitted to resign the Adjutancy to the corps of Sappers and Miners, from 6th Dec.—Lieut J. Gilmore, Engineers, who has been placed at disposal of the Commander-in-chief to join head-quarters of Sappers and Miners at Delhi—Capt R. D. White 69th regt, appointed Aide-de camp to Brig. Sir T. Anburey from 24th Oct.—Ensign R. Hill 4th regt permitted to resign the appointment of acting Interpreter and Quartermaster to 31st N I, to which he was nominated in G. O. of 28th Sept last—Lieut J. Drummond, 19th regt N I, to superintend the Drilling of Puick Company at Cuttack—Lieutts. H. A. Boscawen, H. Stone, C. B. Hall, and H. Hall, to be Captains by brevet—Captain P. C. Anderson 64th regt N I, permitted to resign his appointment of 2d in command of the Mhairwarrah local batt; and placed at disposal of the Commander-in-chief—52d regt N I, Lieut R. Morrieson brought on the effective strength of the regt—Asst Surg. T. W. Burt permitted to continue in charge of the medical duties of the civil station of Tipperah till 1st Feb. 1837—Captain P. P. Turner 61st regt N I, is appointed 2d in command of the Ram-

gurni L. I. batt, and Cornet E. Harvey 10th regt L C, to the charge of the detachment of 5th local horse attached to that corps—69th regt N I, Lieut R. Garrett to be Captain—Ensign W. P. Bignell to be Lieut, vice Brandon retired—Lieut C. J. F. Burnett 8th regt N I, to be Adj. vice Abbott promoted—Asst Surg. G. Smith to be Surgeon from 25th Dec., vice Venour retired—Mr E. Hall admitted to the Service as a Cadet of Infantry, and promoted to the rank of Ensign—3d N I, Lieut J. Butler to be Captain—3d N I, Ensign G. Pott to be Lieut from 1st Jan. 1837, in succession to Captain T. E. Soady retired—10th N I, Lieut F. W. Hardwick to be Captain, and Ensign J. Phillott to be Lieut, from 1st Jan. 1837, in succession to Captain W. Foley resigned—26th N I, Captain G. H. Johnstone to be Major, Lieut H. Johnson, to be Captain, and Ensign J. Duncan to be Lieut, from 1st Jan. 1837, in succession to Major D. Bruce retired—28th N I, Lieut J. C. Lumsdaine to be Captain, and Ensign I. Jones to be Lieut, from 1st Jan. 1837, in succession to Captain F. Welchman retired—The services of the under-mentioned officers are placed at the disposal of the Right Hon. the Gov. of Bengal, for employment in the revenue survey:—Lieut. B. W. Goldie of the corps of Engrs.—Lieut H. E. L. Thuillier of the regt of Art.—The div. order directing Lieut J. S. Broadfoot, Engrs., to proceed to Delhi and do duty with the Sappers and Miners, is confirmed—The order appointing Ensign J. B. Mee to act as Adj. to left wing of 14th N I, in the room of Lieut Shepherd is confirmed—Lieut G. O'B. Ottley of 6th regt to act as Interpreter and Quarterm. to 73d regt during the absence of Lieut McNair—Asst Surgeon J. Anderson, M. D., to do duty under the Super. Surgeon at Barrackpore—25th regt N I, Lieut J. R. Flower to be Captain, Ensign J. Clarke to be Lieut from 5th Jan. 1837, in succession to Marshall resigned—52d regt N I, Lieut T. H. Shuidham to be Captain—Ensign C. Hagart to be Lieut from 1st Jan. 1837, in succession to Auberjonois retired—Captain H. Debude Super Engr Central Provinces to be Super Engr of the Cuttack Province, vice Bell dec.—Capt T. Warlaw to be Super Engr of the Central Provinces, vice Debude—The services of Lieut R. C. Shakespeare of Art. are placed at the disposal of the Lieut Governor of the North Western Provinces to be appointed an Asst in the Revenue Survey department—The nomination of Lieut J. Burrows 14th regt Bombay N I, as Asst to the Genl Super-



of the Operations for the Suppression of Thuggee, vice Hale resigned is confirmed.—The services of Lieut G. Ellis of Art., are placed at the disposal of the Governor of Bengal for employment in the Revenue Survey.—The orders appointing Ens W. K. Haslewood to do duty with 73d regt N I, at Barrackpore—Lieut R. Long 25th regt to act as Adj't to Arracan local battalion during the time Lieut F. V. McGrath may return to the command of it, and Surgeon W. E. Carte to receive medical charge of the Hurrianah I. I. batt. the detachment of 21st regt N I, &c. from Asst Surgeon A. Thomson on leave are confirmed—Lieut J. E. Verner to be Adj't to 5th regt local horse, vice Hill on furlough.

**HIS MAJESTY'S REGIMENTS.**—Dec. 9, 13th L D, Lieut G. J. Walker has been appointed Aide-de-camp on the personal staff of his Excellency Sir Peregrine Maitland, K. C. B.—16th Lancers, Lieut W. V. Jillard has leave to England for two years; Captain A. C. Lowe has leave from the 1st of February to 1st Dec. next to proceed to Landour on medical certificate; Captain T. H. Pearson is about to proceed to England for two years on private affairs; Forty men unfit for further service, are coming to the Presidency, and will embark for England under the command of Captain Brown of 11th L D—4th foot, Lieut M. G. Dennis has leave to England for two years on private affairs—16th foot, Captain H. McManus has leave from 16th April to 16th October next, to Landour, on private affairs—26th foot, Fns. Johnstone has been appointed to act as Interpreter during the absence of Captain French—49th foot, Ensign A. R. Shakespeare has leave from 8th January to 15th Dec. next, to visit Tellicherry, on private affairs—*Eng. Dec. 22.*

**REMOVALS AND POSTINGS.**—Major Genl and Colonel Sir H. Wolsley, K. C. B. on Airlough, from the 23d to the 10th regt N I—Colonel W. Casement, C B, on staff employ, from 7th to 23d regt N I—Colonel R. C. Andree to 7th regt N I—Colonel A. Galloway, on furlough to the 58th N I—Colonel H. Huthwaite, on furlough, from 29th to 15th regt N I, Colonel P. LeFevre from 15th to 29th N I—Lieut-colonel F. Young on staff employ, from 58th to 7th regt N I—Lieut-colonel J. Frushard to 58th regt N I—Lieut-colonel W. G. Mackenzie from left wing European regt to 6th N I—Lieut-colonel J. Orchard, on furlough, to the left wing of the European regt—Lieut-colonel R. Rich from 23d to 22d

regt N I—Lieut-colonel E. Wyatt from 22d to 23d N I—Lieut-colonel H. Cock from 30th to 29th regt N I—Lieut col C. F. Wad from 62d to 30th regt N I—Lieut-colonel R. Chalmers, on furlough from 22d to 62d regt N I—Ensigns R. H. Alexander and R. A. Smith to do duty with 70th regt at Barrackpore—Ensign A. Cameron to do duty with 5th regt N I, at Meerut—Asst Surgeon G. C. Rankin is posted to 51st regt N I, but to continue to do duty with 5th batt Artillery until arrival of regiment at Cawnpore—Super Surgeon W. A. Venour from Agra, to Benares circle of medical superintendence—Super Surgeon S. Ludlow from Presidency to the Agra circle—Super Surgeon W. Findon from Benares to Presidency circle of superintendence—Cornet W. G. Prendergast to 8th L C, at Sultanpore, Benares—Cornet W. F. Tytler to 9th L C, at Nusseerabad—Ensign E. Blenkinsop to do duty with Ramghur L I, battalion—Captain G. Fothergill H. M's 13th L I, Lieut J. H. Fenwick, Captain W. G. Willes H. M's 31st regt and Ensign J. Bontein 51st N I, to do duty at the convalescent depot at Landour during the approaching hot season—Lieut-colonel A. Roberts from right wing European regt to 31st regt N I—Lieut-colonel W. H. Kemon from 32d regt to right wing European regt—Lieut-colonel A. Speirs from 38th to 37th regt N I—Lieut-colonel G. W. Moseley to 38th regt N I.

**QUALIFIED IN THE NATIVE LANGUAGES.**—2d Lieut R. Warburton—1st J. Shaw—Ensign T. F. Pattenson—1st E. Hay—Lieut J. Hunter—Ensign M. E. Sherwill.

**RETIRED FROM THE SERVICE.**—Major D. Bruce 26th regt—Major F. C. Robt—Captain J. Brandon 69th regt N I—Surg N. Maxwell, M D—Captain F. Auberjonois—Major H. P. Carleton, Eur. regt—Capt G. F. Holland 3d regt N I.

**RETURNED TO DUTY.**—Captain A. Jackson—1st Lt. J. Trower—Asst Surg F. Furnell—Asst Surgeon R. Fullarton, M D—Lieut-colonel J. Orchard.

**FURLONGHS.**—Lieut J. Hunt—Lieut H. Cheere—Ensign H. Weaver—Ensign W. K. Fullarton—Asst Surgeon W. M. Buchanan, M D—Captain J. P. Wade—Lieut T. W. Morgan—Lieut J. Locke—Lieut C. H. Burt—Lieut C. Hutton to N. S. Wales—Lieut B. C. Bourdillon—Brigadier J. N. Smith—Lieut-colonel G. T. D'Aguiar to Cape—Colonel P. Lefevre—Captain C. Garrett—Lieut A. G. F. J. Younghusband—Asst Surg C. Finch, M D—Ensign S. W. Buller—



Lieut. H. Lawrell (prep) — Captain C. Chester — Lieut. T. W. Hill — Lieut. C. Hagart — Asst Surgeon D. A. Macleod.  
*Leave Cancelled.* — Lieut. W. A. P. Milner.

**MOVEMENTS OF REGIMENTS** — The following movements to take effect on the dates specified: — H. M.'s 11th regt of L. Drags., from Meerut to Cawnpore, on being relieved by the 6th Lancers — H. M.'s 16th Lancers from Cawnpore to Meerut, as soon after the receipt of the route as the commissariat can supply carriage.

#### GENERAL ORDERS.

Head-Quarters, Camp, Agra, 28th December, 1837. — At a general Court Martial assembled at Secrole, (Benares) on Tuesday the 1st day of November, 1836. Major Henry Digby Cox, 25th regt N. I., was arraigned on the following charge: — Charge: "For conduct highly unbecoming an officer and a gentleman in the following instances: — First. In having falsely stated before a Court of Inquiry, which sat at Benares, on the 28th and 30th June 1836, and of which Major Martin, 57th regt N. I., was President, that he (Major Henry Digby Cox) had called out Captain George Miller, of the same Regiment, by my advice, or with my knowledge and approbation. — Second. In having, at my quarters, on the 5th July 1836, in the presence of the Adjutant and officiating Quartermaster of the regiment, falsely denied that he had made before the said Court of Inquiry the said statement, or any statement prejudicial to my character as Commanding Officer of the 25th regt of Native Infantry." (Signed) T. NEWTON, Colonel, commanding 25th regt N. I. — Mirzapore, 10th Oct. 1836. — Revised Finding: — "The court having maturely considered the whole of the evidence adduced on the part of the prosecution, together with what is urged by the prisoner on his defence, are of opinion, that he, Maj. H. Digby Cox, 25th N. I., did not make a false statement before the Court of Inquiry at Benares; and that, therefore, he is not guilty of the first count of the charge, and further, that he is not guilty of the second count of the charge. — They do, therefore, fully and honorably acquit him of the same." Remarks by the Court. "With regard to the evidence of Captains Miller and Marshall, the court do not mean to express their conviction of its incredibility; but, as the evidence given by other witnesses on the same subject is at variance with that given by those two officers, the Court have given the prisoner the benefit

of the same." — Confirmed. (Signed) H. FANE, Genl. Commander-in-chief, East Indies. — 20th Dec. 1836. — Remarks by his Excellency the Commander-in-chief. — 1st. The Commander-in-chief has confirmed these proceedings, but has not approved them. — 2. His Excellency withholds his approval, because the verdict of the court (notwithstanding the Judge Advocate General's letter to the President of the 19th November) does not render it clear, whether the court acquit Major Cox of having made the statement with which he was charged, or whether they only acquit him of falsehood in the statement. As to the propriety of the charge having been brought forward against Major Cox, and the amount of consequent injustice which may have been done to him by Colonel Newton, mainly depend on that point, he is of opinion, that the verdict of the court ought to have been so framed as to remove all doubt on the subject. — 3. He cannot, moreover, approve the wording of the paragraph relating to Captains Miller and Marshall. One reason must be obvious but principally because it may be inferred by those who read the paragraph, without reading the proceedings of the court-martial, that there had been some direct contradiction to the evidence of those officers; whereas the difference between their testimony and that of the other witnesses alluded to in the paragraph, amounted only to the alleged use of one of two different but nearly synonymous words — Maj. Cox is to be released from arrest, and directed to return to his duty.

**MARRIAGES.** — Nov 19, Mr J. M. Collasso to Miss J. Gonsalves — 21, Mr J. D'Silva to Miss J. D'Souza — Mr J. A. Bontein to Miss M. Gregory — 22, Mr J. Monteith to Miss S. Stacy — Dec. 7, D. W. MacKinnon, Esq., Madras Army, to Arabella, eldest daughter of F. Hamilton, Esq. — 11, Mr A. Sageman to Miss O. L. McLeod — 15, Rev. A. Garstin to Rebecca, youngest daughter of the late J. Judge, Esq. — 16, at Fultyghur, Mr S. E. Smith to Miss Brierly — 22, Mr H. F. Rose to Jane, eldest daughter of Major Bertram late 41. Co.'s S. — 26, at Delhi, Serjt A. Cleveland to Miss R. McDowell — 29, J. M. Hill, Esq., Tirhoot, to Isabella, 2d daughter of the late R. Dunlop, Esq. of Perth, Scotland — Jan. 2, Mr T. Ross to Mary, eldest daughter of Mr W. Wallis — 3, Mr H. G. Mudge to Grace, daughter of the late Mr S. C. Allen — 5, A. A. Apple, Esq., to Miss Anna, daughter of C. A. Catchick, Esq. — 7, Captain R. F. Martin to Margaret, 2d daughter of the late



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Captain Collins H. M.'s 2d Dragoon Guards—9, at Boitaconnah, Mr S. Gonçalves to Mrs T. D' Silva—10, Lieut J. R. Abbott to Isabella, daughter of J. Nicholson, Esq, Solicitor—at Chandernagore, A. T. Bonnaire, Esq., Indigo Planter, to Miss M. C. Albert—14, Mr J. Barber to Miss M. A. Robinson.

**BIRTHS.**—Oct. 10, at Secrole, Mrs T. Cox of a daughter—20, at Futtyghur, Mrs J. Rowe of a son—27, at Futtyghur, the wife of Mr H. De Gruyther of a daughter—Nov. 7, at Benares, the lady of Lieut Y. Lamb 51st regt, of a son—at Agra, the wife of Bazar Serjeant Sinclair of a daughter—10, at Nusseerabad, the lady of Captain J. Hewett 52d regt N I. of a son—18, the lady of A. Garden, Esq. M D. of a son—19, at Barrackpore, the lady of Captain J. Nash 43d N I, of a son—at Elambazar, the lady of J. Eskine, Esq of a son—20, at Patna, the lady of R. N. Fairquhaison, Esq. C S, of a son—21, the lady of C. A. Cantor, Esq, of a son—22, the lady of F. Corbyn, Esq, Garrison Surgeon, of a son—Mrs J. Guilleron of a daughter—the wife of Mr F. J. La EStrange of a son and daughter—at Saugor, the lady of W. F. Campbell Esq, 64th N I, of a daughter—24, the wife of Mr W. Skinner—25, the wife of Mr H. S. Ham of a son—26, at Cawnpore, the lady of Captain Veysie 7th L C, of a daughter—27, at Dinapore, the lady of Lieut Willis, Engrs, of a son who died—Dec 1, at Monghyr, the lady of H. Clarke, Esq, of a son—3, at Almorah, the lady of Lieut H. McGeorge 7th N I, of a daughter—4, at Chowringhee, the lady of W. P. Palmer, Esq, C S, of a son—5, at Neemuch, the lady of G. P. Ricketts, Esq, 1st L C, of a son—6, the lady of A. D. Kemp, Esq, Attorney, of a son—8, the wife of A. E., Madras Serjt, of a daughter who died on 9th—at Shahabad, the lady of Asst Surgeon W. Bogie, M D, of twins (one stillborn)—9, at Chandernagore, the lady of Mr W. Holland of a son—at Lucknow, the lady of Major C. R. W. Lane, 2d regt N I, of a daughter—at Lucknow, the lady of Major Lowe 2d N I, of a daughter—10, at Comillah, the lady of J. Shaw, Esq, C S, of a daughter—14, the wife of Mr C. Scott of a son—16, Mrs M. J. Simeon of a daughter—18, at Azinighur, the lady of R. Montgomery, Esq, C S, of a son—18, Mrs D. Clark of a daughter—19, at Humeerpore, Mrs J. Crawford of a daughter—20, at Etawah, the lady of Major Wallace 53d regt of a son—21, the lady of J. M. Manuk, Esq, of a son—24, at Loodianah, the lady of Dr. W. L. McGregor of a daughter—the

lady of R. Morrell, Esq, of a daughter—25, at Cawnpore, the lady of Cornet Hawthorne 7th L C, of a son—27, at Futtyghur, the wife of Mr P. Hall of a son—28, at Dum Dum, the lady of Captain Torckler of a son—Mrs P. John of a son—30, at Meerut, the lady of H. T. Owen, Esq, C S, of a daughter—the lady of G. Pratt Esq, of a son—Mrs H. Court of a son—Jan. 1, at Futtyghur, the wife of Serjt-Major Charde of a son—4, at Benares, the lady of Lieut W. Hore 18th N I, of a son—10, Mrs T. Place of a daughter—11, Mrs M. Cockburn of a daughter—12, the lady of the Hon. H. Shakespear, Esq, of a daughter—13, the lady of E. Macnaghten, Esq, of a son.

**DEATHS.**—July 28, at sea, Mr. T. H. Bush—Sept 23, Mr R. Paul of H M's Ship "Wolf"—Oct. 12, at Secrole, Benares Mrs S. Freed—27, at Landour, Hannah, daughter of Brevet Captain Havelock, Lieut and Adjt H. M's 13th L I—Nov 11, drowned, in crossing a Nullah, G. Dent, Esq—19, Mrs H. Prenton—Mrs A. Thomas—20, at Buxar, the wife of Mr J. Varley—21, Mr R. Malah—at Nagpore, the infant son of Capt. T. A. Duke—Master H. Toladen—the lady of Lieut Evans H M's 26th regt—24, George, son of the late Captain G. L. Trafford 10th regt L C—25, Mr W. Fairrow of ship, "John Bagshaw"—27, at Dinapore, the infant son of Lieut Willis, Engrs—Dec. 6, at Lucknow, Mr C. W. Jacob—7, Mrs J. Ridley, junr.—at Serampore, Lieut-colonel H. T. Smith—at Allahabad, the wife of Serjt. T. Harris—at sea, Mrs Claridge—at Allahabad, Mr T. Braggs—8, off Sulkea, drowned, Mr G. J. Phillips, junr.—at Serampore, the wife of Mr L. Christian—9, V. M. Vardan, Esq—Mr J. Lewis—at Chandernagore, Captain L. Landeman—11, at Dhooly, Tirhoot, R. W. Morgan, Esq—13, Mr J. Matthew—at Moradabad, Asst Surgeon M. S. Kent—15, at Benares, Mr C. M. McIvor, Indigo Planter—16, Miss M. P. Escant—18, Mr B. Valle—21, Mr W. Coward—at Mussoorie, Cornet W. D. S. Hannay, 8th L C—Captain W. Bell—at Allahabad, the infant daughter of Mr W. P. Murphy—24, Jane, daughter of J. Brown, Esq, Merchant—26, Mary, daughter of Sub-conductor A. Bethune—28, Mr W. Seanor of the firm of Messrs Dykes and Co.—Jan 3, at Pudhoo Pokar, Mr E. La Turbull—4, at Bucknore Indigo Factory, H. V. Lynch, Esq—5, at Benares, Mr W. Rawstorm—6, Mrs Ann, wife of Mr. W. Cox—7, Conductor M. Turvey—at Bandell, Mr R. Godinho—9, Agnes,



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wife of Lieut W. R. Dunmore—Dr Bramley, Principal of the Medical College.

### Madras.

It is with deep regret we perform our melancholy task of announcing the death of Mrs. Corrie, the Lady of the Right Rev the Lord Bishop of Madras. This event took place on 21st Dec. last. Mrs. Corrie had been in delicate health for several years, and had been seriously indisposed for some time, but no fears were entertained for her life until within a day or two before her decease. Mrs. Corrie's remains were interred in the burial ground attached to the Cathedral of St. George on the following evening,—and the immense assemblage of persons who attended to pay their last, sad tribute of respect, on the occasion, was truly imposing;—amongst whom we noticed the Right Hon. the Governor, his Excellency the Commander-in-chief and family—Sir E. Gambier and nearly all the members of the Civil and Military Services at the Presidency.

It is now quite uncertain when Sir F. Adam will leave, but it is thought very probable that the *Duke of Argyll* will have the honour of conveying his Excellency to old England.

Although the *Fort St. George Gazette* of 1st Feb. contains no general order to that effect, there is no longer any doubt of Colonel Conway being appointed to the command at Hyderabad. The *Conservative* mentions Colonel Stuart, and the *Spectator* Colonel Isacke, as Colonel Conway's successor; but we understand it is very likely that the appointment will continue in the office, and that Major Hitchens will be the Adjutant General of the Madras army.

**CIVIL APPOINTMENTS.**—Jan. 10, Mr P. B. Smollett to be asst Judge and joint criminal Judge of Chicacole, vice J. C. Scott, but to continue to act as junr. dep. Secy to Board of Revenue until further orders—Jan. 17, Mr J. C. Taylor to be head asst to the principal collector and magistrate of Nellore—Mr W. H. G. Mason to act as head asst to the collector and magistrate of Vizagapatam—Mr P. Irvine to be an asst to the principal collector and magistrate of Salem—Mr. A. Robertson is, at his own request, relieved from duty as a member of the Mint Committee—20, Mr G. M. Ogilvie to be principal collector and magistrate of the northern division of Arcot, in succession to Mr C. Roberts who has resigned his appointment—Mr W. Harington to be

peal and Circuit in the southern division—Mr E. Bannerman to be Judge and criminal Judge of Salem—Captain G. W. Whistler 19th regt N I, to be a police magistrate, vice Morris relieved—24, Mr J. Galdingham to act as Judge and criminal Judge of Nellore during the absence of Mr Grant, or until further orders, and to join his station on being relieved from his present duties—Mr W. A. Forsyth to be sub-collr. and joint magist. of Canara, in the room of Mr Anderson proceeding to Europe—Mr T. A. Anstruther to be sub collector and joint magistrate of the southern division of Arcot, in the room of Mr E. B. Thomas proceeded to Europe, but to continue to act as sub collector and joint magistrate of Combaroto until further orders—Mr C. R. Baynes to act as asst Judge and joint criminal Judge of Chingleput, in the room of Mr Bruere proceeding to Europe—Mr R. D. Parker to be sub collector and joint magistrate of Nellore, in the room of Mr Forsyth—Mr D. White to act as asst judge and joint criminal Judge of Salem during the absence of Mr Thompson employed on other duty or until further orders—Mr E. Maltby to be additional sub collector and joint magistrate of Canara, in the room of Mr Sparks proceeding to Europe, but to act as sub collector until relieved by Mr Forsyth—Mr T. Pycroft to act as sub collector and joint magistrate of the southern division of Arcot during the employment of Mr Anstruther on other duty or until further orders—Mr G. H. Skelton to be Register to the Zillah Court of Nellore in the room of Mr Phillips—Mr H. D. Phillips to be junior deputy secretary to the Board of Revenue, in the room of Mr Parker—Mr T. D. Lushington to be head asst to the principal collector and magistrate of Canara, in succession to Mr E. Maltby—Mr C. Whittingham to act as head asst to the principal collector and magistrate of the southern division of Arcot, during the employment of Mr Pycroft as sub collector or until further orders—Mr G. M. Swinton to act as asst to the collector and magistrate of Chingleput—Mr W. Knox to be assistant to the collector and magistrate of Rajahmundry—27, Mr W. Dowdeswell to act as asst Judge and joint criminal Judge of Rajahmundry—Mr E. Newberry to act as asst Judge and joint criminal Judge of Guntoor—Mr J. Rhode to be Register in the Zillah Court of Rajahmundry: but to continue to act as Asst Judge and joint criminal Judge of Chicacole, until further orders—Mr T. W. Goodwyn to be head asst to the principal collector and magistrate of Ma-



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dura, and to act as head asst to the principal Collector and magistrate of Malabar until further orders—Mr T. I. P. Harris to act as head asst to the principal collector and magistrate of Vadura—Mr M. P. Daniell to act as Register to the Zillah Court of Malabar, during the absence of M<sup>rs</sup> G. S. Greenway or until further orders—Captain Mulcolin McNeill 6th regt L. C. to be a police magistrate, vice Teed—Mr A. P. Forbes is admitted a writer on this establishment, from Jan. 27, the date of his arrival at Madras.

### GENERAL ORDERS.

• Fort St. George, Dec. 27, 1836.—Notice is hereby given, with reference to the G. O. by the Right Hon. the Governor in Council No. 329 of 1835, dated 4th Sept 1835, published in the Fort St. George Gazette of the 5th Sept 1835, that leases for 99 years, renewable at the expiration of every 30 years, will be granted to all persons who have been permitted to occupy land on the Neilgherries for the purpose of building, who have already applied, or shall apply, either directly or by their authorised agents, for the same, within three months from this date; and that leases will not be granted to persons who have not already applied, or who shall not apply for them within that period. Applications are to be addressed to the Register of Grants at Madras, and transmitted through the principal collector of Malabar for land at Ootacamund and elsewhere within the division of the hills included in that district, and through the principal collector of Coimbatore for lands at Kotagherry, Coonnoor, and elsewhere in the division of the hills included in the district of Coimbatore. The leases will be made out for the extent of land occupied by each individual, as ascertained by a recent measurement (unless the party shall signify in writing that he has given up a part of it (stating the extent given up) at rates of rent fixed by order of Government, which may be known on application to the collectors respectively. Parties who have applied for leases, and who shall not take them out from the office of the Register of Grants within three months from this date, will be considered as having abandoned their claims, and leases will not be granted to them after that time.

**MILITARY APPOINTMENTS, PROMOTIONS, CHANGES, &c., from 21st Jan. to 1st Feb.**—42d regt N I, Captain J. Thomas to be Major—Senior Lieut J. C. G. Stuart to be Capt—Senior Ensign A. Tod to be Lieut, vice Macpherson retired, date of commission 10th Jan.

1837—Asst Surgeon Eugene Finnelly, M D, to be Surgeon, vice Anderson retired, date of commission 3d Jan. 1837—Lieut S. Vardan, of the corps of Engrs, to act as Supert. Eng in the centre div., until further orders—Capt C. E. Faber, of the corps of Engrs, to act as civil Eng in the 4th div—7th regt L. C. Senior Cornet J. Stedman Cotton to be Lieut, vice Le Geyt invalided, date of commission 17th Jan. 1837—19th regt N I, Senior Ensign A. K. Gore to be Lieut, vice Metcalfe *dec*, date of commission 16th Jan. 1837—48th regt N I, Senior Ensign H. Ferrier to be Lieut, vice Giffmon *dec*, date of commission 20th Dec. 1836—40th regt N I, Ensign A. H. A. Harvey to be Adjutant, vice Bates resigned—Surgeon H. S. Fleming, M D, to the charge of the Lunatic Asylum, vice Sir T. Sevestre permitted to resign that appointment—Surgeon G. Bucke to act as Garrison Surg of Fort St George during the absence of Sir T. Sevestre, on sick certificate, or until further orders—2d Lieut G. C. Collyer, of Engrs, to act as Asst to the Supert Eng Presidency division, till further orders, vice Watts appointed Supert of Roads—34th regt L I, Senior Lieut W. White to be Captain—Ensign R. W. O'Grady to be Lieut, vice Macleod *dec*, date of commissions 19th Jan. 1837—Lieut T. A. C. Godfrey, of Artillery, to be Staff Officer to the Artillery at Penang, Malacca, and Singapore, from the date of the relief of the Artillery at Penang, vice Fisher—Lieut D. Birley, 27th regt N I, is relieved from the duties of the Genl Invaliding, Pensioning and Clothing committees assembled in Fort St George—Capt A. Borradaile, 4th L. C. is appointed a member of the Genl Invaliding, &c., committee assembled in Fort St George, of which Lieut-col. Cleaveland is president—Lieut J. Bates, 40th regt N I, is permitted to resign the appointment of Adjt to that corps—Lieut H. Watts to be Supert of Roads, from the date of embarkation to Europe of Lieut Henderson—Capt M. Blaxland to be Fort Adjt at Cannanore.

**REMOVALS AND POSTINGS.**—Ens. W. J. Hare to do duty with 18th regt—Lieut-col J. Low from 16th to 19th regt N I—Lieut-col A. B. Dyce from 19th to 6th regt N I—Lieut-col A. Farlane to 16th regt—Cornet C. W. Jordan, 7th L. C. removed from doing duty with 6th to join his corps at Jaulnah—Ens. C. H. Case from 32d to 22d regt N I, next below Ensign F. W. Baynes—Surg J. T. Conran, from 6th C to 10th regt N I—Surg D. Richardson to 89th



regt N I—Surg J. G. Malcolmson, to 52d regt N I—Surg E. Finnerty, M. D., to 6th C—Asst Surg J. J. Purvis to do duty with 5th regt N I—Asst Surg R. H. Manley to 47th regt N I—Asst Surg S. T. Lyell to 45th regt N I—Asst Surg J. Supple, from 7th C, to 6th C—Asst Surg C. Don, from left wing M. E. R to 7th regt N I—Asst Surg J. Arthur, M. D., to left wing M. E. regt—Cornet D. J. T. King to do duty with 6th regt L C, until further orders—Capt C. S. Lynn from 1st to 2d N V batt.

**RETIRED FROM THE SERVICE.**—Lieut D. W. Balfour—Surgeon D. Braekridge.

**INVALIDED.**—Lieut W. H. Le Geyte  
**QUALIFIED IN THE NATIVE LANGUAGES.**—Lieut McDonell, 27th regt.

**RETURNED TO DUTY.**—Captain E. A. Humfrys—1st Lieut W. K. Worster—Captain C. Rochfort—Captain C. Turner—Captain J. F. Musgrave—Lieut W. F. Du Pasquier.

**FURLOUGH.**—Captain C. Dennett—Asst Surg J. McKenna—Surg C. Price to Cape—Lieut C. H. Horsley—Surgeon J. Morton—Asst Surg P. M. Benza M. D.—Lieut G. Hall—Lieut R. Gill (prep)—Lieut C. W. Hodson to Cape—Lieut T. Maughan.

**FURLOUGH CANCELLED.**—Lieut H. D. Sheppard.

**Movements of Regiments.**—The 9th regt N I to march from Quilon to Vellore to be there stationed—The 5th regt N I to march from Dindigul to Trichinopoly to be there stationed.

#### GENERAL ORDERS.

**Court Martial.**—3d December, 1836.

The following extracts from the confirmed proceedings of a European general court-martial, holden at Kampsee, on Saturday the 29th day of Oct., in the year of our Lord 1836, and continued, by adjournment, by order of Brigadier John Woulfe, commanding the Nagpore Subsidiary Force, by virtue of a warrant of authority vested in him by his Excellency Lieut-General Sir Peregrine Maitland, K. C. B. Commander-in-chief, are published to the army.—Ensign Peregrine Francis Thorne, of the Madras European regt., placed in arrest by my order. Charge:—For highly irregular, uncourteous, and contumacious conduct, to the prejudice of good order and military discipline, in the following instances:—1st instance:—In having, at Kampsee, on the 5th of October, 1836, making entry of a division order, of the same date, in the orderly book of the company to which he belongs, written in large characters, triply underlined

and waved, such parts of the order as conveyed a reprimand to himself; with intent thereby to cast contempt and ridicule upon the officer commanding the Nagpore Subsidiary Force.—2d instance:—In having, at the same place, on the 6th of the same month, neglected to obey the regimental orders of the 4th of the same month, wherein he had been duly warned and directed to read the daily division and regimental orders, every evening, to his company at sun-set roll call.—3d instance:—In having, at the same place, on the 6th of the same month, committed a similar neglect of orders. The above being in breach of the Articles of War. (Signed) C. A. ELDERTON, Lieut-colonel, commanding Madras European Regt.—Kampsee; 10th Oct., 1836. By Order, (Signed) T. HAY, Acting Asst Adjt Genl. N. S. Force.—The court having most maturely weighed and considered the whole of the evidence brought forward in support of the prosecution, as well as what the prisoner, Ensign P. F. Thorne of the Madras European regt., has urged in his defence, and the evidence in support thereof, is of opinion:—Finding on the 1st instance of the charge—That the prisoner is "guilty" of the 1st instance of the charge, with the exception of the words, "with intent thereby to cast contempt and ridicule upon the officer commanding the Nagpore Subsidiary Force."—Finding on the 2d instance of the charge—That the prisoner is "guilty" of the 2d instance of the charge.—Finding on the 3d instance of the charge—That the prisoner is "guilty" of the 3d instance of the charge. Sentence:—The court having found the prisoner guilty to the extent above stated, doth sentence him, the said Ensign P. F. Thorne of the Madras European regt. to be suspended from rank and pay for the period of three calendar months; commencing from such time as his Excellency the Commander-in-chief may be pleased to direct. (Signed) J. BUCHANAN, Major 1st Light Cavalry, and President.—(Signed) T. B. CHALON, Deputy Judge Advocate General, conducting proceedings.—Approved:—The suspension awarded will commence from the date of the receipt of this order.—(Signed) P. MAITLAND, Lieut-Genl. and Commander-in-chief.—Kampsee; 3d Dec., 1836.

The following extracts from the confirmed proceedings of an European general court-martial, holden at Cannanore on the 14th day of Nov., in the year of our Lord 1836, by virtue of a warrant











